

# The Nation.

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## The Week.

THE President has, as has been anticipated during the last fortnight, vetoed the Army Bill. He gives as his reasons: (1) That the danger of military interference with elections is already amply guarded against by existing statutes; and especially by the act of last session, which forbids the use of the troops as a *posse comitatus*, or otherwise, for the purpose of executing the laws, "except in cases authorized by the Constitution and an act of Congress"; and that this last piece of legislation was recognized by the Democrats as affording full security against the improper use of the army; (2) that, therefore, the omission of the words "or keep the peace at the polls" might deprive the Federal Government of the only means at its disposal of securing the fair election of members of Congress, and make all the legislation for this object now in existence a dead-letter; (3) that the practice of tacking general legislation to appropriation bills is pernicious, is condemned by public opinion, and forbidden by the constitutions of half the States, and ought now to be abandoned by Congress.

The message does not, as the Democrats hoped, base the veto on the form of the bill, and therefore make it possible to meet it by separating the appropriation from the repeal. It goes to the merits of the matter in controversy, and claims for the Federal Government the right to use the army in aid of the marshals to protect voters and repress disorders at Federal elections, or, in other words, to discharge duties which the Democratic theory reserves to the State governments exclusively. We think there can be little doubt that on this issue the Democrats will in the long run be beaten, though they will doubtless owe their defeat largely to the fact that the army is so small. They cannot make it appear that in its present dimensions it is dangerous as a police force, or is anything but a police force; nor can they convince people that the Federal Government needs no police force to execute the laws. It is to be observed, however, that though there have been threats of coercing the President, thus far there has been no coercion of him, and we feel very certain none will be attempted. The Democrats have got to the end of a very silly business, and will now probably refrain from utterly disgusting the country, by voting the appropriation or else continuing the appropriation of last year until December. Consequently there has been, and will be, no "revolution" or change in the structure of the Government, and no renewal of the late war.

The week, and indeed every week for the last month, has, according to the Washington correspondents, been filled with the greatest speeches ever delivered in Congress. Of course, no speech was a great speech if delivered by an orator of the other side, but accepting all the eulogies as well founded, no such floods of eloquence have ever been poured out in any country. On the other hand, no parliamentary body has, according to the same authority, ever witnessed within the same period so many examples of hopeless imbecility. The way in which, we are told, many Democrats, as well as Republicans, have disgusted their own side with their twaddle and then sat down confused and ashamed, has been something most painful. Ordinarily a man who rises to talk in a legislature has some glimmerings of reason, but according to the press, which is mostly Republican, large numbers of Democrats have lately discussed the constitutional powers of the general Government in a manner indicating idiocy. The reports in the *Congressional Record*, however, do not, we are glad to say, bear out either these encomiums or lamentations. The speeches

have neither been so good nor so bad as the correspondents have represented. The Democrats have not been utterly crushed, nor have the Republicans outdone the eloquence of ancient and modern times. The best speech delivered in the House, as it appears in print, has been that of Mr. Robeson, of New Jersey, who, in the discussion on the Legislative, Executive, and Judicial Bill, made a very strong and apparently unanswerable argument in defence of the right of the Federal Government to regulate Federal elections. He overthrew all comers easily in a statement of the case, which contains almost everything one needs to know about it.

The speech that has attracted most attention, however, is that of Mr. Conkling in the Senate, and on it the correspondents lavished all the riches of their vocabulary. Mr. Conkling always makes a good impression on his audience, owing to his vehemence and his striking personal appearance, so that he is always sure of an ecstatic despatch from the reporters present, and remains for a day or two in the same rank with Demosthenes, Cicero, Chatham, and Daniel Webster. Then comes the verbatim report, and his fame dies as the laurel-leaf and the rose-leaf die. When one sits down and reads coldly one finds that he said nothing, after all, which forty or fifty of his benchmen might not have said. A striking instance of this dependence of his on his presence and voice was afforded by his treatment of the financial question at the last State Convention, which, from a Senator, was melancholy in the extreme. Another is the speech before us. He opened with an ingenious fallacy, in which, by giving the figures showing the amount of taxes collected in different States, he sought to produce the impression that these amounts represented also the proportion in which the different States paid the taxes. He then blundered in an illustration by supposing that Parliament in England is dissolved by "popular disapproval," the fact being that it is the disapproval of the Ministry by the majority of the House itself which leads to dissolution. He treated the mere attaching legislation to appropriation bills as in itself an attack on the Executive, which, of course, is untrue, and then dealt out some well-deserved invective against the attempt to deprive the President of the power to use the Army to execute the laws on election day. He showed what McClellan did in Baltimore on election day; pointed out that the Act of 1865 was a restricting and not an enabling Act; told the story of the New York election frauds in 1868; and eulogized General Grant, before whom, he said, "a continent beyond the sea rose and uncovered itself," which we are afraid will make much laughter on that continent. He pointed out with much force the absurdity and needlessness of this legislation now, and conjectured that it was intended to enable the Democrats to carry this State by fraud. He then castigated the Democrats; waved the bloody shirt freely; denounced "the ecstasy and gush" of conciliation; and drew attention to the number of soldiers sent up by the South to Congress contrasted with the number sent from the North, as showing the malignant and recalcitrant spirit of the South, but most unfairly, because the South drew on its population for the war to a degree never reached at the North and because the "brigadiers" of the South are really their leading men. He berated the Southerners for trying to get back into the United States Army and for removing old and faithful officers of the Senate, advised them not to be in such haste to get back into power, and closed with the customary expression of affection for all peaceable and well-disposed persons.

The Army Bill passed the Senate on Friday by a vote of 41 to 30, and the Legislative Bill, with all its objectionable features, was carried in the House on the following day by 140 to 119. The Senate has besides amused itself with a struggle over the offices appertaining to that body, in which the Republicans, though of course defeated, succeeded in putting the Democrats "on record"

as (1) wishing, contrary to good civil-service doctrine, to make those offices partisan prizes instead of simple ministrations to the comfort and business of the Senate; (2) depriving the President of the Senate, because of his Republicanism, of the right to supervise and confirm or reject appointments to these offices; (3) refusing to except from dismissal ex-Federal soldiers; (4) refusing to except from appointment ex-Confederate soldiers. Of these iniquities only Nos. 3 and 4 will be heard of in the next campaign. On Monday Mr. Pendleton called up his bill admitting Cabinet officers to seats and a voice in Congress, and supported it in a speech of great force and pertinency. He showed that the innovation required no Constitutional amendment, and was only carrying out the liberty which Congress has exercised in many ways in giving a hearing to outsiders, and was expressly provided for by existing law in the case of the Secretary of the Treasury. He was opposed by Mr. Morrill, of Vermont, for no better reason than that the proposal was "monarchical" and unnecessary. It remains to be seen whether a measure absolutely free from party considerations is to fail of Republican support generally. The monarchical objection applies with fatal force to the very existence of Congress, which is a direct copy of a monarchical institution.

The Supreme Court has rendered a judgment of some interest in view of the controversy in Congress over the Jurors' Test Oath. A case came up on appeal against the ruling of the Court below, viz., that a juror who, having been challenged and asked whether he had not taken part in the rebellion, refused to answer, was justified in refusing to answer, and in the absence of other proof of his participation in the rebellion was competent to serve. The Supreme Court has confirmed the ruling, on the ground that a man cannot be compelled to criminate himself, an admission that he had borne arms against the United States being a confession of treason. Judge Field went further, and declared the law requiring a test oath from jurors as to past conduct unconstitutional in time of peace. Judge Strong dissented from the opinion of the Court. Senator Conkling defended this law in the Senate the other day, on the ground that it did not affect men under thirty-five, and that "ex-rebels" over that age ought not to complain. But elderly rebels are, for the purposes of jury duty, certainly the most valuable portion of the Southern community, and everybody interested in the administration of justice suffers by their exclusion. As regards hostility to the negroes, we have no doubt they are much more impartial than the young men whom the act does not touch.

It is now estimated that the colored emigrants arriving at St. Louis since the beginning of the year have numbered 8,600, of whom all but a very small portion had no means to carry them further on their journey to Kansas. Their poverty, together with their utterly vague notions as to their destination, have caused them to be set down on the very threshold of the promised land, and have thus thrown a disproportionate and formidable burden on a small district. The mayors of Wyandotte and of Kansas City across the river have forbidden any more landings to be made, and with good reason, seeing that in the former city there are still 3,500 encamped in the suburbs, sick or helpless, and forming a nest of disease from which even the yellow fever may be apprehended as the season advances. Three thousand more have dispersed over the State, finding employment and perhaps truly bettering themselves. A correspondent of the *Chicago Tribune*, writing from Graham County, Kansas, shows how the so-called Nicodemus Colony, founded in the fall of 1877 by negroes from Kentucky and Tennessee, who knew the Northern methods of cultivation for a variety of crops, and were exceptionally well organized as a community and well located, were obliged to depend on systematic appeals to public charity until very recently, when the organization was disbanded and aid was no longer sought from without. He anticipates great hardships for the new-comers, more ignorant and less versatile, and wholly unorganized, when pushed further away from civilization upon Government lands.

Two large public meetings were held last week, in this city and in Boston, for the purpose of expressing sympathy with the emigration. Here the chief speaker was Capt. Tandy, of St. Louis, who seemed to think ill of any one who disapproved of a general unsettlement of the Southern negro population. He told some harrowing stories—"depositions" of emigrants at St. Louis—about the atrocities practised in Mississippi to deter those desirous of getting away. In Boston, Governor Talbot presided at Faneuil Hall, but the meeting was turned to political account by Mr. Boutwell and General Banks, the former statesman declaring that the Republican party must now become aggressive, and as soon as able must refuse a seat in Congress to any man "whose election is clouded by any informality or wrong-doing designed to obstruct or to defeat the full and free expression of the will of the people"; and if that fails, must fall back on the clause of the Constitution guaranteeing a republican form of government to every State. We do not observe that there was any denunciation of the mischievous tracts issued by the Principia Club or National Farmers' Association of Boston, for indiscriminate circulation in the South, and filled with the most extravagant appeals to the ignorance and fear of the blacks.

In a caustic message to the New York Legislature Governor Robinson has given his reasons for allowing the Apportionment Bill to become a law without his signature. He shows that the Constitution makes it the duty of that body in the first session immediately following a State census to alter the Senate and Assembly Districts, and that this provision was neglected for three sessions and has been tardily complied with now. He withholds his signature to the measure just perfected because it flagrantly disregards the Constitutional command that the apportionment shall as nearly as possible give an equal number of inhabitants to the respective districts. In the case of the Senate districts he shows discrepancies indicated in the extreme by the Nineteenth, which contains 101,693 inhabitants, and the Thirty-first, which contains 180,000. The "contiguous territory" called for has plainly been carved out with some other motive than a desire for geographical fitness. As for the Assembly districts, "Cattaraugus County, with 45,737 inhabitants, has two members, while Suffolk, with 50,330, is given but one"; Lawrence, with 78,014, gets as many representatives as Monroe, which has nearly 50,000 more inhabitants. The Governor's objections, which embrace many more details than we have cited, seem well taken.

George G. Barnard, the famous or infamous judge of the Supreme Court, so prominent in the Ring period in this city—that is, between 1868 and 1872—died on Sunday. He was the most conspicuous and ablest of the men by whom the Ring was built up and enabled to prey on the community, but there was nothing very remarkable about the man himself. Persons like him, both in the kind and degree of ability, are by no means scarce in the lower walks of the profession in all countries, and can be found in almost any of the better class of bar-rooms in this city. He owed his celebrity and powers of evil to the extraordinary social and political condition of the city during the ten years following the outbreak of the war. This brought his talents into play and put him on the bench, and secured him the impunity he so long enjoyed. If a monograph of the right kind is ever written on that singular episode in American history, the rule of the New York Ring, it will give but little space to Barnard's character and career—for he was simply a smart and audacious ruffian—and a great deal to the causes of the silence and submission of the bar which practised before him until the press had broken the power of his political confederates. It is this silence and submission which constitute the black passage in that strange story. Of the hundreds of upright, able, religious lawyers who for years witnessed his villany and indecency, and blushed over them, not a man had the courage to rise in court and denounce him, and appeal to the community against him.



Of the \$121,000,000 United States 4 per cent. bonds taken on the 18th instant by the First National Bank syndicate it is announced that more than one-third have already been resold to permanent investors, and during the sales the market price has advanced to 101½. A good part of the buyers have been holders of the called 5-20 or 10-40 bonds. A considerable amount of the bonds has gone to London, where the price has advanced to 104½, and accordingly sterling exchange has not advanced as it usually does at this season when commercial bills are so scarce. There has also been a great demand for the ten-dollar certificates; but this has come more from brokers who took this roundabout way of getting 4 per cent. bonds than from the people for whom the certificates were designed. To check this buying by brokers and to reserve the certificates for people of small means the Secretary on the 28th issued a circular saying that the Treasury would not convert the certificates into 4 per cent. bonds until after July 1. At the Stock Exchange the speculation in Southwestern stocks has made further headway. Kansas Pacific stock, a majority of which Jay Gould bought recently at 12, has been advanced to 57; Wabash, which has had difficulty for many years—viz., providing for the interest on its debt (the present May interest, according to report, having in part been borrowed)—has been advanced to 35. The older stocks have been less active, but generally strong. Money has been very easy for borrowers, and the New York banks have further increased their surplus reserve to \$12,350,000. Silver advanced in London to 50½*d.* and closed at 50*d.* The bullion value of the 412½-grain dollar at the close was \$0.8430.

Lord Beaconsfield has obtained another vote of confidence in the House of Commons, his majority rising from 60, on Sir Charles Dilke's late motion, to 75, on the recent one of Mr. Rylands condemning the Ministerial financial policy, which was most effectively assailed. But the fact is that no majority has ever sat in the House more impervious to argument than the present one. They were elected on the Jingo platform, which had no argument in it, and, in fact, was made up of war-songs, worthy of the Zulus, and they are the more careful not to hasten a dissolution the more the tide of popular support seems to ebb from them, in this resembling the French Legitimists who were elected in 1871. The flagging of the war in Afghanistan, and the doubtfulness of its result, and the enormous responsibility it seems to involve if Yakub Khan holds out; the disasters in South Africa and the complication in Egypt, in which the Government cuts a ridiculous figure, and is thus far really defied by the Khedive; the break-down of the great Rumanian scheme—are all disheartening the Jingo voter, and producing silence in the music-halls. It seemed at one time as if Lord Beaconsfield might not live long enough to be found out by his followers, but that danger seems to have passed away.

The beleaguered British garrison at Ekowe under Colonel Pearson has been relieved, after a sharp fight, by the force under Lord Chelmsford, which advanced along the sea-coast. Pearson's force, which was sickly, has been withdrawn to the Tugela River, and the next job to be undertaken is the pursuit of Cetewayo to his kraal, which is said to be in a very inaccessible region, and will probably be desperately defended. The situation is complicated by the hostile attitude of the Dutch in the Transvaal, who produce a long string of grievances against the British in past years, ending with the loss of their independence, and even talk of hostilities. The negotiations with Yakub Khan in Afghanistan drag along very slowly, and it is not known at this date how they will end, or whether an advance on Cabul will be necessary; but now that the imperialist fever has abated considerably, the enterprise is no longer looked on with much eagerness. The army is described as sick of the war, which has consisted thus far of skirmishes with mountaineers, and apparently might last in this form indefinitely.

The Bulgarians have finished the work of making a government by electing a Prince in the person of Alexander of Battenberg, a member of the German ducal family of Hesse and a nephew of the

Empress of Russia. He stipulates for the retention of the Russian employes now in Bulgaria for five years, which is probably necessary in order to get the administrative machine in motion. The continued blackening of the Bulgarian character by the English Tory press is one of the curious features of the situation. The object of it it would be hard to conjecture, but the result—the pushing of the province into the arms of Russia—is plain enough. The Rumanian question is not yet settled, although the time for the withdrawal of the Russians is close at hand. The mixed occupation scheme has broken down, and so has the prolonged occupation scheme, and it is certain that if nothing is settled before the Russians go, the people, probably assisted by the Bulgarians, will resist the passage of the Turkish troops to the Balkans. The Porte is still without funds, all plans for raising the wind having failed.

Turkey refuses to cede the town of Janina, which Greece claims as within the line recommended by the Treaty of Berlin. In this the Greeks have the support of Germany, Austria, France, and Russia. But England and Italy stand by Turkey, or rather suggest that Greece should not insist on Janina, but accept in place of it some territorial compensation in Thessaly. The main cause of the Turkish tenacity about Janina is the largeness of its Mussulman population, whose departure would undoubtedly be stimulated very effectively if it fell into Greek hands. One of the peculiarities of the gentle Turk is that he never likes to live in any country in which he does not belong to the ruling race, and it is also remarkable that whenever a Turkish province has fallen into Christian hands he has always been urgently requested by his neighbors of all races and creeds to emigrate as rapidly as possible. This has been the case in Hungary, Rumania, Servia, and Bulgaria, and will be the case everywhere in Europe as the Empire goes to pieces. The Jingo theory in London is, however, that this hostility to the poor Mussulman is a piece of pure and causeless malignity. The Ministers at Constantinople, who of course privately see the joke of the thing, have quite eagerly taken up the Jingo view, and every now and then address a circular to the Powers calling attention to the wanton and most singular dislike displayed towards the Turkish inhabitants by the Bulgarians and Eastern Rumanians. The last of these says the emigrants who have been driven out by "their Bulgarian countrymen" are filling Adrianople in such numbers as to cause great embarrassment to the Turkish authorities.

The state of things in Russia is extraordinary and bids fair to grow worse. Arrests are being made on an immense scale, followed by deportations to Siberia, and of course a large number, perhaps the larger number, on mere suspicion of liberal sympathies or opinions, and many through private malice. Porters armed with sticks are placed in great numbers along the streets in St. Petersburg to prevent the posting of Nihilist proclamations, and a general disarmament has been ordered. The Nihilist organizations, however, seem to have accepted the conflict without flinching, and assassinations still continue, and little difficulty seems to be experienced in finding agents ready to sacrifice themselves, if need be, for the purpose. In fact, the fight is rapidly taking the form of a rising of the educated and partly educated class against the bureaucracy in every department, and if the news be true that Nihilistic opinions have made serious inroads among the officers of the army and the secret police, it would seem as if the Emperor would have to give way, abdicate, and let his son institute a different policy. The crisis in one way bears a curious resemblance to that of 1789 in France; that is, it has undoubtedly been precipitated by the recent participation of the Russian army in delivering Servia and Bulgaria, and making them into free states with parliamentary institutions, just as the crisis in France was precipitated by her share in the Revolutionary war in this country. Russians who read and write and think naturally ask how it happens that the Bulgarian is fitted for a free government, and they, who freed him, are not?

## THE CRISIS AT WASHINGTON.

IT is an established fact that Congress, under our system of government, although it has power to print the speeches of its members, has no constitutional means of compelling people to read them. It is owing to this cause, indeed, that the *Congressional Record* makes so little headway as a daily newspaper, and still has so comparatively limited a circulation. As a practical matter we must admit the fact that the pages of the *Record* are not scanned with eagerness with each recurring day by the thoughtful citizen desirous of ascertaining how the country stands, but that he gets most of his impressions on the subject from the daily press. And this may be the reason why the revolution now in progress at Washington attracts so little attention throughout the country. Under these circumstances the responsibility resting upon journalists is, of course, only increased, and we cannot but think that the disposition manifested by some of our contemporaries to make light of the crisis is very reprehensible.

Some of our readers are probably aware that there has been for a month past some trouble over the passage of an Army Appropriation Bill by Congress. It is, at any rate, a matter of common notoriety that when an army appropriation comes up in Congress speeches on the subject are always delivered by members, some being delivered orally, others to a messenger, who gives them to the Congressional printer. To a certain extent, therefore, it may be assumed that the public know that there was a debate on the Army Bill, but as to what was said in it we doubt whether many people can have any accurate knowledge. If they had there could hardly be that prevailing sense of false security which pervades the atmosphere. We have before us the speeches of Mr. George M. Robeson, late Secretary of the Navy, and of Mr. Blackburn, of Kentucky, made during the debate. From these it seems that Mr. Robeson gave the country timely warning as to the plot in which Mr. Blackburn is engaged, and Mr. Blackburn announced his intention to go on with it to the end, though he cautiously refrained from saying what the end would be.

The debate appears to have arisen over a somewhat nice legal question as to the power to "keep the peace" at the polls in Southern elections by calling in the army of the United States, a force which we believe now numbers in the Southern States seventy-four men and one commissioned officer. Mr. Robeson had a preliminary debate with Mr. McLane on the subject, which did not finally settle the question, for towards the end of it Mr. McLane, while declaring he had great respect for "the character of the gentleman from New Jersey," declined to commit himself as to his sentiments on the subject of Mr. Robeson's intellect, and, in fact, declared in that hypothetical manner which is the mark of real courtesy in debate, that if Mr. Robeson supposed that he [McLane] was confounding the meaning of the term "keep the peace" with the right of the Government to do something entirely different, he must confess himself unable to have "any respect at all for his intelligence."

Passing on to the main subject of the debate, Mr. Robeson declared that what Mr. Blackburn proposed was to take away the power of the President to direct the seventy-five soldiers who now hold the South under their iron heel to "keep the peace," or else to refuse all appropriations to carry on the Army. He then enquired whether if this "brings us to a stand-still and a destruction" it is not "revolutionary"? No one replying to this question, he went on to show that it was a mistake to suppose, as some people did, that republics are generally ruined by "troops." The fact is, Mr. Robeson says, that though the last final blow to liberty has usually come from the sword, this has not been "until some branch of the government has usurped to itself rights which it did not enjoy under the constitution and laws of the country, and has thus destroyed the unity and power of civil government." Thus it was, for instance, that the usurpation by "that stern soldier, Oliver Cromwell," was only rendered possible by the gross behavior of the Long Parliament; so, too, it was only "after the assemblies and councils of the French Republic had made France, with its

fair corn-fields and its vine-clad hills, run red with the blood of its best and noblest," that Napoleon, with the forces appropriately referred to by Mr. Robeson as his "armed soldiery," was able to seize upon the French Government. Now, however indifferent we may be to the fact, it is nevertheless true, as Mr. Robeson next insisted, that ours is "a system of government with co-ordinate and limited powers"—"like the solar system in the heavens, each member of it dependent upon the other, each held in its place, each governed in its motions, each restrained in its orbit, by the power and the attraction of the other members of that system." Let one of these spheres invade the orbit of the others, and what becomes of it and the system? "It wanders abroad not only to the destruction of its co-ordinate spheres, but an object of terror to the universe and of destruction to itself." Mr. Robeson finally closed his remarks by predicting that if the revolution which was now in progress was aimed at the title of the President, "the excitement which is apparent throughout the country to-day is but the muttering of a storm which will increase in fury, will grow in strength and in resistless power, until the men and the party who endeavor to unsettle the title of the President of the United States will be swept for ever from the political horizon."

We have no space to dwell at length upon Mr. Blackburn's reply; but it was full and explicit. He declared that the ballot "shall be free"; that "the sovereign" shall not be longer subjected to "the surveillance of the soldier"; and that he desired to have the country understand that this was the difference between the position of the two parties—that one insists "that the Army shall not hold its mailed hand at the throat of the sovereign," while the other "refuses to release the throttling grasp, and declares that it will block the wheels of the Government and bring it to starvation." He also added that his side of the House of Representatives would not yield or surrender until this Congress should have come to an end; and, finally, amid great applause, declared that not a single man in the majority could ever recede, but would stand to his convictions come what might; pointedly adding that "he who dallies is a dastard, and he who doubts is damned."

When scenes like this occur at the capital of the country it would seem as if it were time for the public to arouse themselves from their lethargy; and yet the only other place where the revolution seems to have attracted any serious attention is in the new capitol at Albany, where last week, in the course of a debate on the proposed escort of General Grant from San Francisco to the Atlantic seaboard, some remarks were let fall which showed a determination on the part of at least two leaders of public opinion to prepare themselves and the public for the worst. Mr. Wheeler declared that for one he was "astonished at the spectacle in Washington" and anticipated "another war." For three years, he added, he had "followed a battle-flag" during the rebellion, and is willing "to follow it again." He assured his audience that he had "an old sabre at his home in Dutchess County" which he is "ready to buckle on again if that time should come." Mr. Alvord, the Speaker of the House, a man hitherto absorbed in peaceful pursuits, reminded his hearers that "a war was begun at Sumter by a single cannon-shot which lasted for four long years," and that "another cannon-shot has been fired at Washington which re-echoes here" (at Albany). He predicted that the people would again "march arm-in-arm with us in defence of that Union which is now in imminent peril once more."

There seems to be little doubt that a revolution has broken out which ought not to be lightly passed over. The Democrats are pledged to refuse supplies to carry on the Government unless the seventy-four soldiers and the officer now believed to be quartered in the South are forbidden to interfere with the freedom of elections by "keeping the peace," and the Republicans are pledged to prevent the passage of any bill which makes the withdrawal of this licentious soldiery a *sine quâ non*. As the parties are almost exactly balanced in the two houses, and Mr. Hayes is a President who always tries to do what he thinks bad men would dislike to have a good man do under the circumstances, it is pretty clear that, in the



beautiful language of Mr. Robeson, one of the "spheres" is going to "invade the orbit" of one of the other spheres, and the invasion must necessarily cause trouble. Moreover, General Grant is going to land simultaneously at San Francisco, whence he will be escorted across the continent by one of the most ferocious hordes of politicians ever let loose in any country. Predatory by disposition, occupation, and training, and serving, too, on committees of escort "without pay," it is not very difficult to see that by the time they reach the longitude of Washington, inflamed as their worst passions will then be by a week's intercourse with their old leader, they will be ready for any desperate attempt. A collision between Blackburn and his followers, maddened to fury by months of Congressional oratory, and the Union forces under Grant will be inevitable, and it is at least an even bet that the mailed hand of the Soldier will tighten round the throat of shrieking Liberty, strangled amid the tottering wrack of the three co-ordinate, yet independent, departments of government.

A gloomy picture! The worst of it is that we care so little about it. Not a man turns from his accustomed avocation to prepare himself for the fray. Not a man takes down the old family Bible at eventide and reads to his assembled household words reminding them of their duty in the hour of peril. Not even "a mass-meeting irrespective of party" (a measure of precaution seldom left untried in New York) has been called. On the contrary, the banker goes on banking, the merchant buying and selling, the stock-broker dealing in "puts" and "calls," the lawyer arguing his cases under the Code and the codifier changing the Code under which he argues them, the builder continues to build, and the real-estate speculator to take advantage of the recent shrinkage in real estate. The securities of railroads, too, go on improving in value, while the Government sells a hundred millions of four per cents at par.

The blow, perhaps, when it comes will be all the harder to bear. In South America and Mexico, where revolutions occur every year or two, the inhabitants who do not take part for or against the rising generally retire into their houses, barricade their doors and windows, and wait till the storm is over. Here, while a leader of one party is denouncing any person who "dallies" as a "dastard" and consigning doubters to eternal damnation, and a leader of another party is predicting an invasion and destruction of one co-ordinate sphere by another co-ordinate sphere, and Mr. Wheeler is estimating the expenses of a trip to his home in Dutchess County for his sabre, everybody goes on with his accustomed business as if there were no revolution in progress at all. Such a case is without parallel in the history of any country. In previous instances, it has been the people who have set the revolution in motion, and the politicians have rather reluctantly taken part in it. Here, the politicians in a most handsome way provide a revolution for the people, and the people will not have anything to do with it. Whether this is from sheer obstinacy, or from the fact that it has escaped their attention that there is a revolution in progress, it is perhaps as yet too early to say.

#### THE SILVER QUESTION IN ENGLAND.

THE recent address presented to Sir Stafford Northcote by a deputation of the Liverpool Chamber of Commerce on the silver question has moved the London *Economist* to make a novel suggestion for arresting the further fall in the price of that metal, and the consequent disturbance of the exchanges with India. The suggestion is no less than that the Bank of England be empowered to buy one-third or one-half of the unsold stock of the German Government at an agreed price, and issue notes against it, with the understanding that Germany shall not sell any more silver for a period of five or seven years. The unsold stock of Germany is estimated by the *Economist* at \$75,000,000 to \$100,000,000. By dividing the task of carrying this sum between the two countries for a fixed period it thinks that the pressure on the silver market might be removed, its former price restored, and the Indian exchanges rehabilitated, and all this without any alteration of the monetary

standard of England. The plan provides further that any loss resulting to the bank from such purchase of silver shall be borne by the Government, and that any profit accruing from it shall be shared by the Government.

The fact that the grave and judicious organ of British finance has offered anything except stern opposition to the Liverpool movement must be taken as evidence that the fall in silver and the disturbance of the exchanges with the East have racked Lombard Street profoundly. Other evidence is not wanting, among which may be noted the recent confession of the Oriental Bank, an honestly-managed institution, that its losses growing directly or indirectly out of the derangement of the exchanges had swallowed up its whole accumulated reserve. Nevertheless England will hardly yet consent to a change of her monetary standard. The words of the late Mr. Bagehot—we quote from the *Economist* of December 30, 1876—are probably in the main a true description of the state of feeling and opinion on this subject still, although there may be more disposition now to reargue the grounds of such opinion than when he wrote:

"England (said Mr. Bagehot) has a currency now resting solely on the gold standard, which exactly suits her wants, which is known throughout the civilized world as hers, and which is most closely united to all her mercantile and banking habits. What motive, that an English Parliament could ever be got to understand, is there that would induce them to alter it? You cannot even begin an argument which would seem to have a sufficiently striking sound. Some time ago it was indeed said that the finances of our Indian Empire were thrown into confusion by the fall in the price of silver, and that, therefore, the English and the Indian currency should be assimilated and both be on the double-standard principle. But even in that case the English people would, rightly or wrongly, never have consented to change their currency; they would have told the Indian financiers to adjust their system of raising a revenue to the new circumstances. They would not have altered the sovereign for anything which might happen to the rupee."

This we judge to be decidedly the governing opinion of England to-day, the address of the Liverpool committee and the guarded hints of Lord Beaconsfield to the contrary notwithstanding. The holding and maintaining of such an opinion is not inconsistent with endeavors, even strenuous and costly ones, to prevent the further fall of silver and depression of the Indian exchanges. The *Economist* considers the mass of unsold silver in the German treasury the controlling factor in the market. It shows that the increased drawing of Indian Council bills (which take the place of silver shipments from England to India), from £4,000,000 per annum to £10,000,000 between the years 1868 and 1872, had no perceptible effect to depress the price of silver; from which it argues that the further increase of the drawings to £13,000,000 in 1874 did not contribute materially to the depression, although silver fell during that short interval 2d. per ounce. It was in 1872 that Germany came forward as a persistent seller of silver. The influence of the American mines the *Economist* deems as insignificant as the operations of the India Council. So long as a mass of silver equal to three thousand tons avoirdupois lies ready, or is supposed to be ready, to be thrown on the market, there can be no material advance in its price, while the possibilities of its further decline are measured only by the inclinations or needs of Germany. Remove this menace, argues the *Economist*, and we have all that England desires to accomplish.

But there are men in England of culture and position who will not be satisfied with this device, even if it be practicable to carry it into effect—and it is admitted by the *Economist* that it is only a temporary expedient—men like Mr. Ernest Seyd and Mr. Stephen Williamson, who are laboring for the double standard in England *per se*, aiming to bring about that which Mr. Bagehot said no Parliament would patiently listen to. They are not so foolish as to suppose that this can be brought about by one country alone—in this respect they differ from the majority of our silver-men. They are in favor of a new international conference, not daunted by the failure of the last one, which they think might have had a different result if the English delegates had not entered it under instructions to consent to nothing which should commit their own country to a

change of her monetary system. Believing that the end is to be gained only by concert of action among nations, in which England shall join, they deprecate all separate action, like that of the United States, as tending to relieve England, Germany, and other obstinate gold countries of a portion of their self-imposed distress, and thus to postpone the only possible cure for their malady. In their view things must be made as bad as possible in order that everybody may be forced to learn the truth. This is likewise the view of M. Cernuschi. "Stop coining silver if you want to bring us to our senses," is the adjuration of all the silver advocates in Europe to their friends and allies in the United States. Their friends and allies here, however, for the most part, reply in the enlightened phrase of Mr. Stanley Matthews, "What have we to do with 'abroad'?"

The Paris Conference was a foredoomed failure for this reason, among others, that the only countries capable of exercising a serious influence in favor of bi-metallism were either absent or hostile to its purposes. If England and Germany had been present and had joined in the proposed bi-metallic union, we should, at all events, have had the experiment tried. Not all the difficulties would have been surmounted by a vote, nor even by the opening of the mints to the free coinage of silver at a fixed ratio with gold, but the result of the experiment, whether favorable or otherwise, would have been worth much to the world by settling forever a great controversy. Money must possess certain attributes which will cause people to seek it—to desire it—to prefer it as a medium of exchange. Gold has been self-elected to that office. The action of the German Government was merely a crowning illustration of the truth of this proposition. At considerable expense and sacrifice they changed their monetary system from silver to gold because the latter was *preferable*. It is not to be supposed that they did it out of caprice or in order to inflict a wound upon themselves. Can any international compact, however solemn, however fortified with good intentions, confer the attributes of money upon something which is not self-elected to the office? We grant that it can make silver legal tender, but that is only a small part of the problem. It must also cause people to desire silver equally with gold, else it cannot establish bi-metallism in practice. A conference which should do nothing more than give liberty to people and nations to "shove" silver upon each other would not have achieved any very desirable or lasting results. A conference assembled to stop the depression of the Indian exchanges, or to enable the German Government to get rid of its surplus silver, or to secure fair wages to Nevada miners, or to enable people to get out of debt, or to accomplish any other philanthropic achievement, would not be necessarily or primarily a monetary conference, because it would have for its object something else than ascertaining what is fit, suitable, good international money. Nevertheless, Americans will take a lively interest in any new conference which Mr. Williamson and his coadjutors in England may persuade their Government to initiate. The United States cannot be expected to take the lead in calling another after having failed to gain a single ally, great or small, among the specie-paying countries of the world, but they will cordially respond to an invitation coming from any respectable quarter. Meanwhile, we shall probably go on buying silver bullion at the rate of two millions per month without any aim or purpose that a thinking man, whether bi-metallist or "gold bug," can understand, relieving to that extent the pressure upon the Anglo-Indian exchanges and upon the German treasury, and postponing any real decision of the question at issue.

#### RAILROAD OWNERSHIP AND REGULATION IN GERMANY.

[THE following criticism, from a German point of view, of Mr. Charles Francis Adams, jr.'s, recent work on 'Railroads,' has been sent us from an authoritative source in Germany, and will be found to contain valuable information on a somewhat intricate subject.]

IT appears to us a principal merit of Mr. Adams that in the first part of his instructive and very interesting book he publishes the authen-

tic documents connected with the first appearance of railroads in England and in the United States, whilst in the second part he very judiciously and with statistical proofs demonstrates the evil consequences arising from the chaos of railroads, and from the embittered wars of competition, which, destitute of a single economic idea, have a detrimental influence, not only on trade and commerce, but also on the railroads themselves and their shareholders. On the other hand, we cannot agree with the author in reference to the ways and means of reaching a healthier condition in the management of American railways. The arguments of Mr. Adams have often been influenced by the development of German railroad affairs, and the so-called "Union of German Railroads." But herein he has been wrongly informed on important points, and of course the conclusions which he draws from his false premises cannot be true. If in the following lines we undertake to correct Mr. Adams in this regard we do it without the least intention of reproaching him. As it is difficult even for a native to form a right idea of these complicated affairs, how much more difficult must it be for a stranger, who can only judge from pamphlets, newspaper articles, etc., obtainable with difficulty.

Omitting the unimportant mistakes referring to the non-Prussian German railroads (for instance, in Bavaria only the railroads on the right side of the Rhine belong to the state; all the railroads on the left side, in the Palatinate, are private property), we will in the first place take note of what Mr. Adams says of the development of railroad policy in Prussia, the leading German state.

The remarks on the railroad policy up to the years 1868 and 1869, on the appearance of Dr. Stroussberg (not Straussburg, p. 111), and on the collapse of private railways which had been, partly directly and partly indirectly, founded by him, are in general correct. But then the statements on pages 111 *et seq.* are incorrect. The above-named collapse took place in consequence of two famous speeches by the Deputy Lasker, delivered in the Prussian Chamber of Deputies on January 14 and February 7, 1873. A commission was appointed for the purpose of examining the principles on which the then Minister of Commerce, Count Itzenplitz, had given the concessions for building railroads, and of making propositions for a thorough reform of these principles. At the same time a new ministry was created in the German Empire, called "Reichseisenbahnamt," which had the superintendence of all the German railroads with the exception of those of Bavaria, which in most respects are not subject to the laws of the constitution of the German Empire. The report of this commission, whose tendency was to convert all the railways into state property, has been without direct consequences, and no new events took place in Prussian and German railroad politics from 1873 to the end of 1875. The only remarkable fact is that twice have the endeavors of the Reichseisenbahnamt to bring before the Bundesrath and the Reichstag a project of a railway law for the German Empire failed in consequence of the opposition of the separate governments.

Only this circumstance, and not the report of a commission (as Mr. Adams says, on page 113), was the motive of the co-called Reichseisenbahn project—i.e., the Chancellor's plan to purchase the principal trunks of all railroads for the Empire. The first step toward the realization of this project was the bill concerning the transfer of the Prussian state roads to the Empire, brought in during the session of the Prussian Chambers in March, 1876, and accepted by them in April and May. Because Prussia, notwithstanding this law, has not yet offered its railroads to the Empire, Mr. Adams infers that Prince Bismarck has given up the idea of introducing the system of state ownership of railroads. On the contrary, he always insists upon this idea, only he tries to realize it in another way. Prince Bismarck's project encountered bitter resistance, arising from political motives, in the minor states, particularly in those which are themselves owners of railways. For this reason, already foreseen in the motives of the bill of 1876, the Prussian Government is beginning to enlarge and to consolidate the Prussian state railroad property by the acquisition of private railways.

The following data may prove what an ascendancy Prussia would attain by the purchase of all the Prussian private roads, and how by this proceeding the question whether railroads should be state or private property would be for ever solved. On the 1st of January, 1875, the German railroads operated 20,250 miles of track; of these 5,675 miles were owned and managed by the Prussian Government; 5,504 miles were the property of private Prussian companies. The state property of the other larger German states amounts to about 6,000 miles. In case Prussia acquired all its *private* roads, its property would amount to 11,000 miles, whilst all the other states would possess only 6,000 miles, and the



remaining 3,000 miles of scattered private railways would be in total dependence on the consolidated union of 17,000 miles of state railroads.

The idea of dividing the Prussian Ministry of Commerce into a Ministry of Commerce and a Ministry of Railroads, which was first rejected in the year 1878 but has lately been adopted by the legislative bodies, has only been realized for the purpose of facilitating this difficult task of the minister, so that Mr. Adams is mistaken in supposing, on p. 114, that the creation of a new ministry of railroads was in question; the sole object was to free the minister who had had the direction of railroad affairs hitherto from all other business. The entrance of Baron von Weber into the Prussian service, which Mr. Adams supposes to be of so great importance, has not the least political consequence, and Baron von Weber is altogether much over-estimated abroad. He has never exercised the least influence in Prussian railroad politics. The leading person, next to the Chancellor, is the present Minister of Commerce, Mr. Maybach. The latest events which have taken place since the appearance of Mr. Adams's book prove that this minister, in full concurrence with Prince Bismarck, firmly and persistently pursues the project of state-ownership of all railroads. On February 15, 1879, the first treaty concerning the acquisition of a more important private railroad by the Government was agreed upon. Mr. Adams will see from the above facts that German statesmen do not at all incline toward the adoption of a railroad policy similar to that of Great Britain or America.

Mr. Adams, on pp. 112, 205, 206, speaks of the "Verein Deutscher Eisenbahnverwaltungen," which, at the close of 1876, embraced 110 managements, operating 31,000 miles of track. He declares that this union "makes all necessary arrangements respecting joint traffic, that it settles questions of fares and freights, and substitutes arbitration for wars of rates." He thinks it desirable that a similar agreement should take place between the American railroads, and sees principally in such a proceeding the solution of the railroad problem in the United States. But now this Union of German Railroads, to which belong the German, Austrian, Hungarian, Belgian, Dutch, Rumanian, and some of the Russian railroad managements, is not in the least concerned with tariffs and joint traffic. The freedom of tariffs, as far as it exists for the railroads belonging to the Union, is not at all compromised by the Union. Questions of rates lie quite beyond its compass: wars of rates have always been waged between the managements of the Union, and are being carried on at this moment. The Union has rather proposed to itself to secure as far as feasible a uniform management of the railroads belonging to it, and for this purpose has established uniform principles for the construction and the equipment of railways, for the quality of wagons, locomotives, etc., and for the operation itself. This uniformity has been generally recognized as very conducive to the promotion of commerce, and a similar union of the American railroads would doubtless exercise the same beneficial influence. But the real evil under which the management of the American railroads is suffering would not thereby be removed—nay, not even affected. This evil seems to us, according to the excellent enquiries of Mr. Adams, to consist in the *de facto* absolute liberty of tariffs for the American railroads, which is evidenced by the establishment of tariffs not in accordance with economic principles but in accordance with the whims and private interests of the managers. The experience of all civilized nations has proved that such defects cannot be healed by light, palliative means, but must be energetically handled so as to conquer them.

However, it would be advisable for America in regulating its railway tariffs to profit by the experience gained in this respect in Germany. Such circumstances as are represented in the article "Congress and Inter-State Commerce" (*Nation*, January 30, 1879, pp. 79, 80) are indeed impossible according to the present legislation and practice in Germany, and what in America is yet a desideratum is in Germany almost an "überwundene Standpunkt." Thus, for instance, the railroads are obliged to publish their tariffs; the application of unpublished tariffs and the granting of particular favors to individuals are strictly forbidden. It is very difficult to evade these prohibitions, and if the railways nevertheless do so, they are severely punished. Besides, all German railways have accepted a conformity in the establishment of their tariff system, and the governments have settled the maxima of rates, which cannot be exceeded without the permission of the Government, whilst the railroads have full liberty to take lower rates. These laws, to which all private and state railways are subject, and the execution of which the above-mentioned Reichseisenbahnamt carefully superintends, greatly restrict the liberty of tariffs. The introduction of similar laws in America, as is intended by the Reagan Tariff Bill, would be a

great progress. But whether at the present time the Government of the United States, as would become its duty under that bill, has power to interfere; or whether, on the other hand, the Government has power to hinder the ever-progressing formation of railway states in the political States—this question we do not dare to decide, particularly as we are not personally acquainted with American railroad affairs, but have only taken our knowledge from books.

## Correspondence.

### GENERAL GRANT AND THE RASCALS.

TO THE EDITOR OF THE NATION:

SIR: You say there is not a rascal in the country but is eager to vote for Grant. If that is true he would be triumphantly elected; but all the rascals are on the Democratic side. The Rev. Jos. Cook has come out in his favor. Is he a rascal? As Greeley truly said: "Point where you please to an election district which you will pronounce morally rotten, given up to debauchery and vice, whose voters subsist by keeping policy offices, gambling houses, grog-shops, and darker dens of infamy—there is the Democratic party" for railroad wreckers and ciphering frauds.

MARQUETTE.

[We say nothing of the kind. We said there was no Republican rascal who was not "a Grant man," and we say so still. All the bad element in the party is frantic in support of him. We began by stating explicitly that *all* Grant men were *not* rascals. Our correspondent's question about the Rev. Joseph Cook is, therefore, a little silly. The assertion that "all the rascals are on the Democratic side" has a pleasing sound, but unhappily it is not supported by experience. It is strange but true that the Republican party contains several of very superior quality. A correspondent of Colonel Forney's cheerful paper, the *Progress*, also asks, apropos of our paragraph, "Is it just that General Grant should be made to bear the sins of the men whom he commissioned in good faith, but who have in some instances violated their trust?" Of course not; but it is just that General Grant should be made to bear the sins of rascally officers whom he kept in office, on the "under-fire" rule—that is, after their rascality was discovered and clearly proved. The renomination of "Boss" Shepherd for the chairmanship of the Commission of the District of Columbia, for instance, immediately after he had been legislated out of office for corruption, which so shocked the Senate and the public at the time, was a case of responsibility for rascality which General Grant actually took pains to make plain. No one knows better than the joyous editor of *Progress* that if Grant is nominated the Democrats will only have to make extracts from the files of the Republican papers between 1870 and 1876 in order to compound a most damning and damnable campaign document. The Grant movement is, in fact, a proposal to confess that the party has neither policy, nor ideas, nor statesmen. It is saying substantially, "We have no plans, no policy, and no ideas to speak of; but we have a first-rate man. He has no plans, policy, or ideas either; but he is tough, decided, and combative, and will make the Democrats skip." If this is not imperialist talk, what is it?

We may add that the acceptance of the third-term idea would be, as every one saw plainly, or was supposed to see plainly, three years ago, virtually the adoption of the life-tenure for the Presidency and the abandonment of popular government. The gratitude, love, and admiration, or whatever it is, which makes people want to give Grant three terms would, of course, grow the longer he served, and would give him an irresistible claim to the place on the expiration of his sixth term. If, also, the Democrats should succeed in defeating him before he died, they would never admit that their man was anything short of a six-term man either, or ought to have less than three terms. The European nobles, too, would soon fall into the way of taking a hand in the Presidential canvass. When an ex-President arrived on their shores they would receive him with increasing honors on seeing that it tickled the Americans. Then,

if there were two ex-Presidents in the field pitted against each other, the campaign orators of each side would endeavor to show that their man had had bigger dinners in Europe, and had been received by more crowned heads, and had had more elephants in his procession than the other man. Would "government of the people by the people for the people" in this way grow in strength and dignity?—ED. NATION.]

#### BIENNIAL SESSIONS OF THE LEGISLATURE.

TO THE EDITOR OF THE NATION:

SIR: Your very discriminating article upon my scheme for methodizing our legislation leaves but one thing to be desired—*i.e.*, that you should draw attention to the one great evil which has been brought about by the recent constitutional amendment limiting and prohibiting private and local legislation, and requiring that certain objects theretofore obtained by special and local laws should thereafter be achieved only by general laws. This amendment subjects the whole body of the general law to most insidious attacks dictated by special and local interests, and will hereafter beget numberless new general laws to effect such special or local objects. This evil will become in time so great and intolerable that a recurrence to the old system of indiscriminately passing local and special laws will be considered a relief from the mischiefs which we are now developing, by general legislation to effect such smaller and minor results.

The clamor for biennial sessions of the Legislature is of a piece with the empiricism which limits the legislative power instead of methodizing it. This is on the assumption that legislative sessions produce more harm than good, and that therefore the less we have of them the better. The absurdity of this way of dealing with a political evil is best illustrated by imagining the derision with which any reasonable human being would have met the suggestion of a reformer who in 1871 had proposed as a remedy for the corruption which disgraced the New York judicial system that Barnard, Cardozo, McCunn, etc., should sit but half terms. It does not at all follow that by sitting half the time they would do half the mischief, because they might readily crowd into any given number of days double the injustice that they did more leisurely before.

Respectfully,

SIMON STERNE.

NEW YORK, April 23, 1879.

#### "COMPARISONS ARE ODIUS."

TO THE EDITOR OF THE NATION:

SIR: Mr. Shepard, in your paper for April 17, suggests Sir John Fortescue as the author from whom Shakspeare may have derived Dogberry's "comparisons are odorous." I wonder that no commentator has called attention to Lyly's 'Euphues' as the most probable source of the suggestion. 'Euphues' was first published in 1579. In page 68 of Arber's reprint we read:

"Concerning *Livia*, though she be faire, yet is she not so amiable as my *Lucilla*, whose seruauant I have bene the ferme of three yeres: but least comparisons should seeme odious, chiefly where both the parties be without comparison, I will omitt that, and seing that we had both rather be talking with them, then tatling of them, we will immediately goe to them."

Shakspeare was fond of ridiculing the style of 'Euphues,' and would gladly use the opportunity of parodying it in the mouth of Dogberry.

Many persons, in attempting to quote Dogberry, spoil the joke by correcting him, and thus they quote 'Euphues' without knowing it. This is one of many absurd blunders made in popular quotations from Shakspeare and other poets.

A. B. STARK.

LOGAN FEMALE COLLEGE, RUSSELLVILLE, KY., April 23, 1879.

#### STATE TAXATION.

TO THE EDITOR OF THE NATION:

SIR: Your statement in the article on State taxation in to-day's issue that a tax upon A.'s land and another upon B.'s mortgage upon the same land amounts to double taxation, receives a curious illustration here in Philadelphia.

The city imposes a tax upon the land, the State imposes a tax upon the interest on the mortgage, the latter ostensibly payable by the mortgagee. The mortgages, however, all contain a covenant that the mortgagor shall pay the State tax. Hence the result is that a landowner pays

more taxes after he has mortgaged his property, when his own interest in it is really less and the State's interest can surely be no greater, than when it was unencumbered.

Very respectfully,

ROBERT H. NEILSON.

PHILADELPHIA, April 24, 1879.

#### Notes.

AFTER a period of comparative fixity the book-trade in this city has again begun to share the spring mania for removals. In conformity with the general uptown tendency, Henry Holt & Co. contemplate a new location on Twenty-third Street, between Fourth Avenue and Broadway, while F. W. Christern is already installed at No. 180 Fifth Avenue, next door to G. P. Putnam's Sons; and B. Westermann & Co. at 838 Broadway. Bangs & Co. have transferred their auction-rooms to 739 and 741 Broadway. *Per contra*, J. Sabin & Sons have moved further down town to No. 64 Nassau Street. The American branch of George Routledge & Sons, which still remains, as during the past thirteen years, at No. 416 Broome Street, celebrated last week the twenty-fifth anniversary of its foundation—A new publishing firm with an old and familiar name is announced as having established itself at No. 714 Broadway. The senior partner of A. C. Armstrong & Son was lately well known as a long-time member of the house of Scribner, and his son has partly acquired his training in the same good school. For a beginning A. C. Armstrong & Son have purchased part of the standard stock of W. J. Widdleton, embracing Burton, Disraeli, Hallam, Milman, Lamb, etc.—The 17th volume of *Scribner's Monthly* bears a double frontispiece, the heads of Longfellow and Emerson, and is replete with good engraving and good reading, as we have testified from month to month.—Sheldon & Co. have in press a manual of English Literature based upon Professor Morley's well-known work, but largely original in matter and arrangement. Prof. Moses Coit Tyler is the editor.—President A. D. White's address on "Education in Political Science," on which we commented last week, has been published by John Murphy & Co., Baltimore, in pamphlet form.—Candidates for fellowships at the Johns Hopkins University are notified to present their applications before the 15th instant. In a letter addressed to the President the previous reading and study and future intentions of the applicant should be stated, and some essay or thesis (not necessarily prepared for this occasion) should be offered in connection with it, together with references, etc. Five fellowships will be allotted this year to each of the departments of Greek, Mathematics, Chemistry, Physics, and Biology; and five at the discretion of the Faculty.—A second circular concerning private collegiate instruction for women at Harvard has just been issued by Mr. Arthur Gilman, Secretary, whose address is 5 Phillips Place, Cambridge. Admission to instruction will be granted those who pass satisfactorily the Harvard University Preliminary Examination for Women this month in Cambridge, New York, Philadelphia, and Cincinnati, in eight of ten subjects enumerated. The fee for the full year's instruction will be \$200; for single courses, \$75 to \$100.—The last report of the Davenport (Iowa) Academy of Natural Sciences shows a flourishing condition. Among the important acquisitions of the past year have been an exhumed tablet of stone, with inscriptions differing from, yet partly agreeing with, those of similar ones already exhumed and ascribed to the mound-builders; and two "animal" pipes, representing a bear, conjectured to be the grizzly, and an elephant. Mrs. Mary L. D. Putnam, one of the principal benefactors of the Academy, was chosen president for the current year.—Lovers of early English literature should procure the circulars of Mr. Edward Arber, Southgate, London, N., England, who publishes 'An English Garner: Ingatherings from our History and Literature,' the 'English Scholar's Library,' and other collections of reprints interesting for their intrinsic contents or for the rarity of their originals; the invaluable 'Transcript of the Stationers' Registers,' 1554-1640, etc., etc. All these publications are printed with accuracy and elegance, and sold for a very moderate price, Mr. Arber being not only the editor and publisher, but sole dealer in them.

—D. Appleton & Co. have just published a well-devised and well-executed 'Hand-book of Requirements for Admission to the Colleges of the United States,' compiled by A. F. Nightingale, A.M., Principal of the Lake View High-School, near Chicago. These requirements are tabulated, in a remarkably condensed manner, for forty-four of the leading colleges, and afterwards restated in the form of a general average, compliance with which will ensure admission anywhere. This informa-



tion is supplemented by specimen examination papers from Yale, Bowdoin, Dartmouth, and Boston University; and by the current circular of the Harvard Examinations for Women. Provision having thus been made for the capacity of the pupil, the parent's taste is consulted by a variety of statistics helpful in making a choice. There are lists of all the colleges in the United States, classified by States; of thirty-eight colleges, showing the attendance in the various schools, and whether men only or both sexes are admitted; of forty-four colleges in reference to church influence or control—all the State universities being classed as non-sectarian; of the same number in the order of their establishment, with the presidents' names, etc. The colleges are also divided according to their adherence to the English or the Roman pronunciation of Latin, and the schemes of the latter adopted at Michigan, Cornell, and Harvard are presented side by side. Still other statistics have chiefly a speculative interest. It appears, for example, from the data concerning the thirty-eight colleges, that in the New England thirteen nearly 75 per cent. of the students are in the classical course; in the nine of New York, New Jersey, Pennsylvania, nearly 54 per cent.; in the sixteen West and South, less than 43 per cent. The modern languages, and German above all, largely take the place of Greek in the Western colleges. In the mixed colleges, nearly 24 per cent. of the students are women, who pursue (31 per cent.) the classical course; (55 per cent.) the scientific or technical; (15 per cent.) the medical, etc. Finally, in all the above colleges medicine attracts 2,304 students, the law 1,840, and theology 456. The women number 2,053. Speaking generally, all the State universities and all the Methodist colleges enumerated admit both sexes. In the New England States there is one college to every 174,396 inhabitants; in the Middle States, one to every 126,545; in the Southeastern, one to every 93,178; in the North-Central, east of the Mississippi, one to every 82,249; in the North-Central, west, one to every 65,126; in the South-Central, one to every 77,240; in the Western (Pacific slope), one to every 24,451. These figures forcibly reveal the worthlessness of the term "college" as a criterion of the institution adopting it, or as an indication of the culture of any given State. Tennessee, with a population slightly inferior to that of Massachusetts and consisting one-third of freedmen, and with one-sixth the wealth, counts 27 "colleges" to Massachusetts' 9.

—Now that Lent is over, the theatres are applying themselves with great assiduity to the discovery of plays adapted to the short spring season. The Union Square, having reaped a magnificent winter's harvest from the "Banker's Daughter," has turned its attention to a field in which it has already made many hits, and brought out an adaptation of "Les Orphelins du Pont Notre Dame," in "five acts and eight tableaux." It is suggested by the manager that "a story that deals with the foundation of noble charities and benevolent institutions ought not to be uninteresting to the public of a city like this, whose public charitable institutions challenge comparison even with those of the city in which the noble Vincent de Paul founded the first asylum for the neglected and orphaned children of the poor." The story is that of two boys, one the son of the *Countess de St. Val* (Miss Linda Dietz), the other of *Catharine Fournier* (Miss Ida Vernon), both abandoned, one by his starving mother, the other by the wicked *Duke Savello di Savelli*, who, for purposes of his own, finds it convenient that the child of the countess should not be supposed to exist. The two children are, however, picked up by *Vincent de Paul* (Mr. John Parselle), and, needless to say, after incredible and blood-curdling adventures, are restored to their mothers. Mr. Parselle's acting of *Vincent* is, as his acting of almost any part is sure to be, very good. Indeed, he makes the most of it; but it is not a good part for him, and does not give his powers free scope. Mr. Thorne as *De Couci*, the poor but honorable knight who stands next friend to innocence and virtue through the play, acts with spirit, but possibly with not precisely the sort of spirit that would at once identify him as a veritable *De Couci*. Miss Dietz, as the countess, seems rather overpowered by her dress, which is of great magnificence, but not at all becoming to her. The best acting in the play is undoubtedly that of the two children (Miss Mabel Leonard and Miss Hattie Anderson). Their parts are well written and natural, and their acting quite charming. *A priori*, we should have doubted whether twelve is an age of sufficient maturity for successful dramatic presentation—so many plays are spoiled by the introduction of prattling infants—but all doubt is dissipated by the success of these two boys. In melodrama a boy of twelve seems quite in place. He is, after all, in that very world of incident and adventure and romance of which real boys of twelve are half the time dreaming. With "emotional" plays, in which there is an absolute impossibility of the child

dramatically entering into or becoming a part of the situation, the case is different. The "Lost Children" is well put on the stage, several of the scenes, and especially the Bridge of Notre Dame, being masterpieces in their way.

—Most people in New York are probably chiefly familiar with Suppe's music through having heard his "Poet and Peasant" given at Thomas's Garden. From the slightly propagandist tendencies of Thomas as a concert-giver, the impression was created that Suppe was a sort of musical purist, and that in listening to him an audience was doing something to educate itself. The fact is, however, as the simple-minded population of this city has just discovered, that Suppe is an industrious writer of comic music of the lightest kind, and that, however much he may desire the improvement of the musical taste of the world, what he has been most strenuously endeavoring to do during all these years has been to write an uproariously funny and successful comic opera. This he has at last succeeded in doing. "Fatinitza," which was brought out last Wednesday evening at the Fifth Avenue Theatre, has, we believe, had enormously successful runs in half the capitals of Europe. Its success is not difficult to understand. The whole idea of the play is very comical, and many of the situations, particularly the scenes in which the Reform Pasha and his harem are introduced, extremely farcical. There is nothing very new in either the play or the music, for the idea of making a comedy turn upon the hopeless passion of one of the characters for a young woman, the young woman being actually a young man whom the lover has met masquerading in female attire, has been common dramatic property in all countries for several generations; while the music contains reminiscences of every *opéra bouffe* that Lecocq and Offenbach have ever produced—he music is undoubtedly Suppe's, and some of it, particularly the choruses, is very pretty; but it would not have been written had it not been for the composers we have mentioned. Here and there the origin is almost too directly traceable, as in the scene where the Turkish chorus effects an entrance into the Russian camp, which appears almost an infringement of the proprietary rights of the owners of "Giroflé-Girofla" and the "Fille de Madame Angot." The libretto is, even in its disfigured English version, very amusing, and in the original no doubt constituted a great part of the strength of the opera. It is fairly sung, and acted much better than we have ever seen anything of the kind given in English. The newspaper correspondent is a strong part, and ought to be put in the hands of an actor who has an exceptionally good voice.

—Mr. Bergner's annual concert, which took place on Wednesday week, presented an excellent programme, which was performed in a very satisfactory manner. The first number was Schumann's piano-forte trio in F major, one of the brightest and most characteristic of the master's compositions, full of that strong and manly humor which pervades many of the works dating from this happiest period of his life. Miss Henne, whose charming and sympathetic voice it is always a pleasure to listen to, sang a rather gloomy and monotonous song, by Gounod, followed by one of Rubinstein's, by no means a good specimen of this author's style, who has written many interesting and delightful compositions for the voice. Schumann's "Widmung" also was admirably sung. Mr. Bergner played a violoncello arrangement of an air by Pergolesi and a mazurka by Popper. The concluding number was Beethoven's quartette for string instruments in C minor, Op. 18, No. 4.—Mr. Wilhelmj's second concert of chamber music was an improvement on the first in so far only as the selection was performed in a decidedly superior manner. In other respects it was equally disappointing. The programme did not contain a single number of concerted music that has not been heard here this season and often in previous years. It opened with the same quartette, by Beethoven, that was given only two days before at the Bergner concert. Schumann's trio in D minor was a few weeks ago admirably played by Messrs. Pinner, Damrosch, and Bergner at their chamber-music concerts in the Union League Theatre, and the andante with variations from Schubert's string quartet in D minor has likewise been performed at one of the chamber-music concerts given at Republican Hall by Messrs. Brandt, Matzka, and others. Mr. Pinner gained a decided success by a truly admirable and vigorous rendering of Bach's great organ toccata and fugue in E flat, arranged for the piano by Carl Tausig. The artist was received by the audience with particular warmth and heartiness, and in response to repeated recalls played a charming "Pastorale," by Searlatti. His performance of the piano-forte part in Schumann's trio was equally artistic and intelligent. Miss Henne sang three Italian airs of the seventeenth century, Mozart's "Veilchen," and a delightful song by Rubinstein.

—More than half of the last number of the *Revue Politique* (April 5) is occupied by a study on Renan, by Charles Bigot. The writer has already discussed Feuillel, Lemoine, A. Dumas, fils, and lately published a capital sketch of the Duke d'Audiffret-Pasquier; but Renan offers a much finer subject for psychological portraiture, and M. Bigot has profited by all its points. He is acute, ingenious, perhaps fanciful. He dissects M. Renan, classifies him, accounts for him, gives a "theory" of him, all in a few pages and in most agreeable French. The article was, of course, written on occasion of Renan's reception into the Academy. Renan's *Discours* at that time (very badly delivered, it is said, in a style to make Legouvé wince) has been published, and, as every one knows, has excited the ire of the Germans; but from the account given elsewhere in the *Revue* of Mézières' *Réponse*, that apparently ought to be published also, not merely because the author acquitted himself well of the difficult task of replying to such a predecessor, but because Renan's thesis—that great writers pay little attention to style—is false and dangerous, and was ingeniously opposed by Mézières with a reference to the style of the very man whom Renan had eulogized in the latter part of his discourse, his predecessor in the Academy, Claude Bernard. M. Mézières also dexterously guarded the Academy from the imputation of accepting all the scepticism of their new associate; and the whole response seems to have been an exhibition of fencing, courteous but a little malicious, interesting yet requiring for its full enjoyment a knowledge of the course of feeling in the Academy and in Paris.

—Several important monographs upon Roman history and antiquities have appeared in Germany in the course of the last year. Genz's 'Das patricische Rom' is the most important for the early period, and, being the most recent discussion upon the primitive institutions of Rome, ought to be consulted by all students of this period. It is in general founded upon Mommsen's views, from which, however, the author differs on some points, especially in regard to the three tribes, which Mommsen considers to have all existed in Palatine Rome, while Genz holds the common view—that the Sabine Titians inhabited the Quirinal. The chief puzzle of the tribal organization of Rome is the complication of the threefold division with a twofold (*e. g.*, the four pontiffs, augurs, and vestals, the doubling of the centuries of knights, etc.), and this Mommsen explains by the theory above mentioned, while Genz explains it by the later origin and inferior rank of the Luceres. The treatise (of 122 pages) consists of five chapters—"Die patricische Gens"; "Die Curien"; "Der Staat, Populus, Senatus, Rex"; "Die Stämme [Tribes]"; "Patriciat und Königthum." The theory of the *gens*, elaborated in the first chapter, gives the head of the gens almost the position of the chief of a Highland clan—as being, in fact, the proprietor of all the land of the gens, and the only *paterfamilias* in the strict sense of the term. On the other hand, the clients are regarded as members of the *gentes*, and therefore a part of the *populus*. The objection that they would thus have had a vote in the *comitia curiata* is ingeniously disposed of by the theory (p. 61) that the earliest mode of voting was (as in Homer) acclamation. The last chapter contains a striking and suggestive sketch of the contest between the early patrician institutions and the innovating royal power.—Dr. Schwartz, of Posen, has published a thin pamphlet, 'Der Ursprung der Stamm- und Gründungs-sage Roms unter dem Reflex indogermanischer Mythen.' It is an application of the theory of the "sun-myth," which has been made so familiar to us by Max Müller and Mr. Cox, and it traces in an interesting and ingenious manner the connection of this with the stories of early Rome. However far one may be willing to go in this interpretation, one is at any rate surprised at the number and the closeness of the parallelisms which are here pointed out with the stories of Romulus and of Servius Tullius, the worship of Picus and of Vesta.

—Dr. Holzapfel's dissertation 'De Transitione ad Plebem' touches a fundamental point in the gentile system of the Romans, which is of interest, therefore, as a question of Roman constitutional law, and historically interesting, moreover, in virtue of the important case of Clodius; the dissertation is, indeed, mainly devoted to the consideration of this case. Dr. Holzapfel adopts the view of Mommsen, that the transition to the plebs (a different thing from adoption into a plebeian family) was regularly effected by an oath of *patriciatu abdicatio* taken personally before the *comitia calata*. He does not, however, follow Mommsen in identifying this act with the *delestatio sacrorum*, and he thinks that both previous action by the *comitia centuriata* and some formal subsequent action in the plebeian assembly of the tribes were essential to it. It was because Clodius failed to get this necessary authority for his transition in 60 that he had recourse the next year to the clumsy expedient of *adrogatio*,

being adopted by a plebeian young enough to be his own son. So far the case may be considered as settled, at least in its main features; the difficulty is in explaining how Clodius, after adoption, was able to retain his old name. This he thinks was by an abuse, with the connivance of the pontifex maximus (Caesar); it was on this ground, therefore, that Cicero always denied the legality of the tribuneship of Clodius, and therefore the validity of his laws.—'Die agrarische Frage im alten Rom' is a popular lecture, delivered in Heidelberg, by Dr. Heinrich Buhl. It does not aim to enlarge our knowledge of the agrarian laws, or to solve any of the puzzling problems in which this question still abounds; but it presents in a brief and interesting way the substance of what Mommsen has to say upon the subject.—A good summary of the revenue system of the Roman republic will be found in 'Beiträge zur Kenntniss des römischen Staatspächtersystems,' by Dr. Dietrich. The most original part of the treatise is that which treats of the publicans, in two chapters; the one upon their companies, *societates publicanorum*, the other upon the definition of the term, which is shown to apply not only to farmers of the revenue, but to contractors of public works, and also to those who rented mines, fisheries, etc., belonging to the state. Other chapters discuss the method of assigning contracts, both for farming the revenues and for constructing public works.—Belonging to the same general head is Hirschfeld's 'Untersuchungen auf dem Gebiete der römischen Verwaltungsgeschichte'; the first volume containing the administrative officials of the empire, down to the time of Diocletian. It makes a volume of 323 pages, and contains an exhaustive account of nearly all branches of administration—such as the treasury system, the postal system, the fleets, the aqueducts, games, libraries, etc. The next volume, which will be delayed by other duties, will contain the system of taxation and the provincial administration of the empire.

—A topic of the highest importance is discussed by Bernhard Heisterbergk, in 'Die Entstehung des Colonats.' It is known that at about the third century of our era the free peasantry of Italy and many parts of the empire is found to have been superseded by a body of prædial serfs, and the origin of this condition, *colonatus*, has been one of the most difficult problems in the history of the empire. Dr. Heisterbergk clearly states and discusses all the leading theories in regard to the subject, those of Savigny, Puchta, Huschke, etc.; but devotes most of his polemics to that of Rodbertus. Rodbertus, an economist rather than a philologist or jurist like his predecessors, attempted to find the explanation of the phenomenon in Von Thünen's theory of "the Isolated State"—an ingenious demonstration of the forms which will be taken by agricultural industry at different distances from a given centre; its proximity to Rome forced Italy to a garden culture, and the previous disappearance of the free peasantry in the formation of the great estates, or *latifundia*, made it necessary to use slaves for this purpose, giving them a semi-free condition. Heisterbergk, after showing the untenableness of this view, maintains that the *colonatus* did not begin in Italy, but in those provinces (as Africa and Spain) which were the chief sources of the supply of corn, and upon which fell a heavy burden of taxation, from which Italy was free; that it was "the characteristic feature of the formation of *latifundia* upon tributary soil." Then came legislation and made the condition uniform over the whole empire. The special value of the treatise lies in the thoroughness and lucidity with which the working of economical laws is traced in the social events of this distant period.

—We print in another column some German comments on a recent notable work by Mr. Charles Francis Adams, jr. At the same time we are in receipt of a handsome and not slender report on the operation of American railroads, prepared by a Prussian railway inspector, H. Bartels, in accordance with the instructions of the Minister of Commerce. Herr Bartels came to this country in connection with the German exhibit at the Centennial, and was able to make a flying trip to the Pacific and towards the Gulf, in the course of which he had an opportunity to observe the management and construction of the most important roads on this continent. He expresses warmly his thanks to the railway officials, who gave him every facility in their power "in willfährigster und aufopferndster Weise," and supplied him freely with reports, photographs, drawings, etc. While endeavoring to make a purely objective showing of the appliances of our roads, he points out in his preface the danger of borrowing American methods and contrivances for adoption under wholly different conditions. He praises highly the American inventiveness and desire to have the best thing from whatever source it is presented; and our railway-engineering audacity, aptness, and success he also extols in the most gratifying terms. The volume before us is Part I., and deals



only with railway stations and signals. It is illustrated with numerous excellent wood-cuts and thirteen copper-plate maps, and is printed in the Roman character. We suppose we hazard nothing in saying that for the two subjects treated there is no work in the English language to be compared with it on the score of information alone, while the foreign point of view even in selection and description must considerably enhance its value. The title of the report is 'Betriebs-Einrichtungen auf Amerikanischen Eisenbahnen: Bahnhofsanlagen und Signale' (Berlin: Ernst & Korn.)

#### DRONE ON COPYRIGHT.\*

THE English Commission on Copyright in their recent report on the subject of literary property, speaking of the English legislation, say: "The law is wholly destitute of any sort of arrangement, incomplete, often obscure, and even when it is intelligible upon long study, it is in many parts so ill expressed that no one who does not give such study to it can expect to understand it." The copyright laws of the United States are free from some of the faults which make a chaos of the English statutes, but Mr. Drone hardly overstates the case as a whole when he declares at the outset of his interesting book that "meaningless, inconsistent, and inadequate statutory provisions; ambiguous, erroneous, and conflicting decisions, cover the law of copyright with doubt, difficulties, and confusion."

The causes of this are not difficult to understand. Literary property is a species of ownership which is of entirely modern development. Some writers on the subject have touched upon the Roman law in its bearing on copyright; but beyond a text which, if we remember right, decides that a manuscript written upon the paper of another becomes the property of the latter because the paper is his, the Roman law has hardly anything applicable to the matter, and that little is of the very slightest importance, for the single reason that the Romans did not understand the use of types. It is only since the invention of printing—that is, within the last three hundred years—that copyright has become of any value as property, and consequently it is in the laws and decisions of this period that we must look for the development of it as a branch of the law of property. To the student it presents an interesting instance of the development, almost within the memory of men now living (for the copyright question can hardly be said to have been seriously discussed except during the last hundred years of the period which we have mentioned), of a new and distinct species of property resting on precisely the same foundations with other proprietary rights, but differing from all others in its nature and attributes. The idea of property in these is so familiar to us that it is difficult to conceive of a state of society in which it is not recognized. Recent research has, however, made us familiar with the fact that the idea of property is a product of civilization; that in pre-historic times, among the races which now consider themselves charged with the especial duty of protecting and preserving it, the institution of private property did not exist, and that it has been slowly developed out of a primitive communism. In copyright, however, we have a sort of property which is even now, under our very eyes, freeing itself from the early communistic fetters, and establishing for itself a footing, at first infirm and precarious, but gradually becoming fixed and unquestionable in all civilized countries. This is a fact which we do not propose to prove by any abstruse legal argument. Whether, as some eminent lawyers have maintained, copyright did exist at common law (*i.e.*, independently of any statutory provisions), or whether it is simply a creature of statute, there is one fact which cannot be disputed by any one familiar with the history of literary property—that with the past hundred years the rights of authors in intellectual productions have been gradually but steadily extended in every direction. For, it must be remembered, there are several directions in which a right of property may extend itself. It may be increased in duration of time (as, for example, the ownership may exist for a limited term of years, or for life, or for ever), in the power of disposition (*e.g.*, it may be enjoyable by the author himself, or he may have the right to sell it, in whole or in part); it may be strengthened by international as distinguished from local recognition. Now, comparing copyright as it existed in England during the last century with copyright as it exists to-day, there is no doubt that there has been a steady progress in one direction. By the first English copyright statute passed in Queen Anne's time (1710) the period for which authors' rights were guaranteed

was only fourteen years, with a return to the author of an additional fourteen years' privilege. A century later (1814) we find this lengthened to a period of twenty-eight years absolutely, and the lifetime of the author. By the present law of the United States it is twenty-eight years in the first instance, with a right of renewal for fourteen years more. By the present law of England it is the life of the author and seven years more, or forty-two years—whichever is the longer period. In Germany it is life and thirty years; in France, life and fifty years; and in Italy, life and forty years, or a fixed period of eighty years (equivalent to rather more than two lives)—whichever is the longer. Finally, the English Commission, after a mature consideration of the whole subject, have recommended a still further lengthening of the period in Great Britain, and this recommendation will undoubtedly be adopted by Parliament.

Taking the world at large, therefore, it is not unfair to say that the development of the idea of literary property, so far as relates to *duration*, has reached a point at which there is a pretty general consensus of opinion that the author of a book, a play, a poem, a history, ought to have the opportunity of making what he can out of it during the term of his natural life, and that his children after him should have a qualified right of inheritance for a short time longer; and that this right is recognized by all countries. It is clear that there is but a very short step from this to the position that copyright should be put on the same footing with all other property; in other words, made perpetual. This step, as to what is now called play-right or stage-right (the right of public representation of dramatic works), has actually been taken in many American courts in a series of decisions which are, by the way, remarkable instances of the advantages of the system of judicial legislation in a case where the legislature itself, from defects in intelligence and morality, cannot be relied upon to relieve the courts of this duty.

While copyright has thus been strengthening itself with regard to *duration*, it has also gained, as a form of property, an almost universal international recognition. All civilized countries except the United States now recognize, by treaty or by general laws, the duty of protecting authors from piracy as being of the same obligation as the duty of protecting other owners of property, no matter whether citizens or strangers, from injury to their rights; and in the United States the only obstacle in the way of a recognition of the principle is the interest of the manufacturers of books, who even now, from time to time, profess their perfect readiness to have foreign authors' rights protected, provided they publish their books here, or, in other words, pay a royalty to American publishers. We believe this position is taken, curiously enough, by publishers who are ardent advocates of free-trade. The fact, however, of a general progress in this country in the direction of foreign authors' rights will not be disputed.

The progress from non-recognition to recognition of literary property in the last hundred years has been so clear that the attitude of mind produced in most impartial persons who examine the subject is one of surprise and indignation that the copyright question was not long ago settled. Mr. Drone, who has made a painstaking and exhaustive study of the subject, frequently expresses this in the strongest way; and, from the professional point of view, it is a defect in his treatise that he does not always distinguish with a perfectly judicial fairness (with the fairness which is such a marked characteristic, for instance, of Sir James Stephen) between the law as it is and the law as he would have it. To the non-professional reader, however, who cares less for what the law is actually decided to be by the judges than for what it ought to be in a well-governed state, Mr. Drone's strong expressions will appear—as, indeed, they generally are—no more than justified by the facts, and he will ask himself, as we have often asked ourselves, why this question is always arising and never being settled; why, with all our boasting about this age as one particularly devoted to the honor of authors, literary property should still to-day be the worst-protected kind of property there is.

Of course the fundamental reason is that it is a kind of property difficult to protect; that the author is himself absolutely helpless in the matter, and that his only security is the common sense of justice and right, which is not always as strong a social force as it should be. All other kinds of property—houses, lands, chattels—are protected, in the first instance, by the strong hand of the owner; in the case of copyright he has no protection except what the law gives him. But apart from this, if we examine the reasons which have been put forward to show why the law should not give him complete protection, we shall find that the reason most commonly advanced, and the one which has had the greatest weight in the discussions on the subject, is that of monopoly. Of course we do not mean that this is advanced as a reason

\* A Treatise on the Law of Property in Intellectual Productions in Great Britain and the United States. Embracing copyright in works of literature and art, and play-right in dramatic and musical compositions. By Eaton S. Drone. Boston: Little, Brown & Co. 1879. 8vo.

against *international* copyright; but in all the discussions of the proper *duration* of copyright, from the time of the great decision of Lord Mansfield in the case of *Millar vs. Taylor* down to our time, monopoly has always been a favorite argument with the enemies of copyright.

We believe, however, that the whole argument as to monopoly rests on a pure fallacy. Monopolies and property rights have nothing whatever to do with one another. Property is simply the absolute right of individual enjoyment and disposition of the thing owned. A monopoly is the grant of an exclusive *privilege* for the benefit of private persons, which they otherwise would not have had. The distinction is so clear in practice that it is difficult to see why it should be so difficult to grasp in a new subject. The exclusive right to sell tobacco, which is, under ordinary circumstances, open to all the world, is a monopoly. The right of the owners of a particular newspaper is a right of property. Now, literature is a business in which any one may engage, and to give the sole right of producing a particular kind of book, as histories, novels, or poems, would clearly be the creation of a monopoly; but the right to enjoy and dispose of a particular literary composition is a right of property belonging to the author, or it is nothing at all.

The matter has been much confused by a supposed resemblance between books and mechanical inventions. This difference between patent right and copyright, however, is fundamental. It seems to be perfectly well established as a fact that in the progress of the application of science to the useful arts the question of discovery is merely a question of time. All inventions are pretty sure to be made by some one, sooner or later. Some of the most important discoveries which have marked epochs in the history of civilization have been made independently in different countries at different times. This has been the case with printing, with gunpowder, and with the use of steam as a motive power. With regard to mechanical inventions, patents are every day being taken out in different countries on substantially identical processes. It is not, therefore, unfair to say that a patent right is a grant of an exclusive privilege in something which in a certain sense is common property. This privilege may properly be limited by legislation to a reasonable period. But with books the case is totally different. If Shakspeare and Milton had not lived, the world would indubitably, to the end of time, have been without "Hamlet" and "Paradise Lost." It is perfectly clear, too, that neither Shakspeare nor Milton was under any sort of obligation to write. They were at liberty to gain their livelihood in any way they pleased. Literature itself is, of course, an occupation open to all, and a grant of the general privilege to a particular person to write books, or to write books on a particular subject, would create a monopoly; but to protect a particular author against piracy is merely guaranteeing him in the enjoyment of the fruits of his original, individual labor. To say that full property rights in this would be a monopoly is merely to say that all property is a monopoly.

It is hardly necessary to remark that nothing will be found in Mr. Drone's book in conflict with these views. He is an ardent advocate of copyright as a branch of the law of property, and has devoted the first hundred pages of his book to an enquiry into its origin, nature, and history. This part of the volume will probably be found of most general interest. The subject, as a branch of the history of literature, well repays study. It is in its main outlines easy of comprehension to the non professional reader. The same thing cannot be said of common-law property in unpublished works, discussed in chapter i., or of common-law play-right in unpublished dramas (chapter xiii.), though the decisions of the courts as to these are often very entertaining and instructive reading. But we have left ourselves little space to speak of the book in detail. In another edition we should recommend Mr. Drone to moderate some of the epithets which he applies to the decisions of the courts; for, though these may be from a philosophical point of view justified, they always injure a law book with the legal public, and sometimes diminish the reputation to which very great books are justly entitled, as in the case of Austin, whose "Jurisprudence" would unquestionably have found much greater favor with practical lawyers had it not been for his ferocious assaults upon Sir William Blackstone. We should not omit to add that Mr. Drone discusses copyright in works of art and in musical compositions, as well as book copyright; in another edition he might render his book still more valuable by an examination (like that which he has given to literary property) of the theoretical basis on which copyright in these should rest. We feel a reluctance, however, at expressing any opinion which might seem to raise a question as to the value of the book as it stands. Mr. Drone's collection of authorities is exhaustive and his statement of them accurate; he is, moreover (a rare thing with

legal writers in this day and generation), so thoroughly at home in his subject that he brings to bear upon the discussion of each point in it a mass of information derived from familiarity with all the other points, and has, as a result, produced by far the best treatise on copyright that has been published in England or America.

*Personal Memories: Social, Political, and Literary.* With sketches of many noted people. 1803-1843. By E. D. Mansfield, LL.D. (Cincinnati: Robert Clarke & Co. 1879).—This book, originally letters to the author's children, and showing few marks of editing in its present form, hardly calls for criticism as a literary performance. As a contribution to the history of a period for which we have no good standard work, it possesses both interest and value, but neither in the degree which might be inferred from a mere statement of its contents. Dr. Mansfield was born in New Haven, in 1801; at the age of fourteen he entered the West Point Academy, where his father was the first teacher, and graduated in 1819; the next year he entered Princeton, and graduated in 1822; the year following he entered a private law-school in Litchfield, Conn., and was admitted in 1825 to the bar of the same county, but almost immediately removed to Ohio, of which State he has ever since been a resident. He had previously as a little child accompanied his parents to Cincinnati, while the city was in its own babyhood, and he remembers hearing the howl of wolves and seeing flocks of green and gold paroquets near what is now Spring Grove Cemetery. He was ten years old when the Mississippi Valley was shaken by the tremendous earthquake of December 16, 1811, which produced the most violent disturbances in the neighborhood of New Madrid, Missouri, and permanently altered the relations of land and water. For five months afterwards, as tested by a pendulum which his father hung at a front window, there was a constant trembling, with occasional smart shocks, during one of which the writer, while at a neighboring log-house, heard the corn on the upper floor "roll from one side of the house to the other." But the moral effects of this phenomenon did not compare, in Ohio at least, with those of the Asiatic cholera in 1832 and 1849, which Dr. Mansfield describes with some particularity. In Cincinnati, during the latter visitation, he estimates that one in twenty-nine of the total population (116,000) perished; of the Germans and Irish together, one in sixteen. In 1826 he assisted in taking a private census of the city, which then had but 16,200 inhabitants.

On the whole, Dr. Mansfield is inclined to believe politics no worse in our day than in the third and fourth decades of this century, while, by the decline of intemperance and of the respectable vice of gambling, society has been greatly improved. Judging "from newspaper accounts," he thinks the stage, too, has been purified, but he seems to doubt "whether we can imagine the early Christians to have frequented theatres." A marked social difference is illustrated in the following anecdote of an English auctioneer in New Haven (1812-13):

"The habit of intemperance at last brought him to the poor-house, but not to that degradation, either of position or character, which now attends the inmates of poor-houses. He had been the associate of gentlemen, and continued to be so when in the poor-house. Mr. Bishop and other gentlemen used to supply him with the best of clothes, and he went round visiting as he pleased. It happened that while he was in the poor-house the descendants of some of the first merchants of New Haven were also there. Capt. Powell was asked if he did not feel the want of society. 'Oh! no,' he replied, 'I enjoy there the society of the best families of New Haven'" (pp. 55, 56).

This was true of many other New England poor-houses until the pauper class became distinctively foreign. Scarcely less hard to realize is the following idyllic scene from the same section:

"It was about the middle of June, 1823, that my father and I drove up to Grove Catlin's tavern, on the 'Green' of Litchfield. . . . One of the first objects which struck my eyes was interesting and picturesque. This was a long procession of school-girls, coming down North Street, walking under the lofty elms, and moving to the music of a flute and flageolet. The girls were gayly dressed and evidently enjoying their evening parade, in this most balmy season of the year. It was the school of Miss Sally Pierce, whom I have mentioned before as one of the earliest and best of the pioneers in American education. That scene has never faded from my memory. The beauty of nature, the loveliness of the season, the sudden appearance of this school of girls, all united to strike and charm the mind of a young man who, however varied his experience, had never beheld a scene like that" (pp. 122, 123).

Turning to his adopted section, we have from Dr. Mansfield some candid appreciations of Western character which are even now instructive. Speaking of Henry Clay's fitness to be a leader:

"If he had been more of a scholar, and more of what the world calls a moralist, he would have had fewer followers and admirers among the



Western people, who loved more the frankness, courage, and gallantry of their chief than they did the acquirements of a scholar or the strict manners of a moralist" (p. 215).

"Mr. Clay was unable to carry for Adams any one of the States which had voted for himself. Mr. Adams held and carried all his own strength, while he derived none from Mr. Clay. The causes of this were very obvious. The Western States which had voted for Clay were composed of exactly those people who are most susceptible to the idea of military glory. In fine, they were carried by the Battle of New Orleans" (p. 229).

Here is a "Veteran Observer's" comfort for those just now in mortal dread of "revolution":

"Apparently Mr. Adams was defeated by a very large majority of the electoral vote, but really the majority was comparatively small. Jackson had received a popular majority over Adams, in 1824, of 50,000, in a vote of 350,000. In 1828 he received a majority of 138,000 in a vote of 1,156,000—not so large, in proportion, as before. In 1824, five States chose electors by the legislatures. Any one can see, by examining the votes of 1828, how little the strength of parties has changed since. The truth is, that politics, like religion, descend from father to son, with little variation" (p. 235).

Again, of the hard-eider campaign of 1840:

"The vote at the Presidential election was nearly a million of votes greater than that at the previous election. This showed the popular excitement, but did not show any great change of parties. For example, the State of Ohio, with all this effort, gave only 23,000 majority for Harrison, who had received 9,000 at the previous election. The increase of majority was 14,000, and half of that, 7,000, were all the votes actually gained from the Democrats" (p. 321).

"General Harrison received the electoral votes of all the States but six. This, however, did not represent the true proportion of parties; for, while he received this great electoral vote, he received only 147,000 majority in 2,500,000 votes. Maine, Pennsylvania, and one or two other States had only given him three or four hundred majority. The general result, therefore, was that while the triumph was complete, the real strength of parties was not materially changed" (p. 323).

We have left ourselves no room in which to make extracts concerning the various public characters whom our author encountered more or less familiarly in his youth and early manhood. Timothy Dwight; the third Governor Oliver Wolcott, who used to say, "You don't want a man of genius for President. You want a plain, practical man. There is old Sitgreaves, of Pennsylvania [a member of Congress, full of statistics and political economy], will make as good a President as any other"; Lyman Beecher at Litchfield (where "it is said that he would return from a funeral and send forth the quickest airs from his fiddle"), and afterwards at Cincinnati; Clay; "Tom Corwin, the wagon-boy"; J. G. Percival; Alexander Campbell, founder of the sect bearing his name; Thomas Smith Grinnick; General Ormsby Macknight Mitchell (singularly enough, though he was Dr. Mansfield's law partner, spelt Ormsby McNight Mitchell throughout); Caroline Lee Hentz (spelt Hentze throughout), and other personages, noted and unimportant, figure in these pages, never very vividly, and not always, so far as anecdotes are concerned, freshly. The author's very positive judgments of men and books and measures call for cautious acceptance on the part of inexperienced readers; they may curiously be defined as the views of a Presbyterian Protectionist Republican. Dr. Mansfield's age would excuse errors like the killing of *Owen Lovejoy* (p. 281) instead of *Elijah*; but the printer is the most constant offender. Between them lies the grotesque substitution, on p. 187, of *bon ami* for *bonhomie*; perhaps a case of "heterophemy."

*The Odyssey of Homer* done into English prose. By S. H. Butcher, M.A., and A. Lang, M.A. (London and New York: Macmillan & Co. 1879.)—We have in this book an attempt to solve on a new theory the problem of translating Homer. After all the discussion of the problem a few years ago, and the numerous experiments that were made by the late Lord Derby, Newman, Wright, Worsley, Bryant, and others, there was still left one plan that was not tried, though it was mentioned by Matthew Arnold. It was always assumed from the time of Chapman down that the translation of a poem must be in metrical form. The present translators have broken with that tradition for reasons which they give in their preface. They hold that there is a want in regard to Homer still unsatisfied, and which no verse-translation can satisfy. What is wanted is "the simple truth about the matter of the poems," the content of them as historical documents giving information as to the manners and institutions, the thoughts and pursuits, the hopes and fears—in a word, the human life—of their age. Now, a verse-translation cannot precisely meet this demand, for the poetical style of one age differs necessarily from that of another, and the characteristic element, whatever it may be, of

the poetical style of any age since the epic will be foreign to Homer. Thus, "for the Elizabethan age Chapman supplied . . . the mannerisms that were then deemed of the essence of poetry—namely, daring and luxurious conceits." So Pope for the age of Anne, Cowper for that of the Georges. Then, when some forty years ago there was a craze for the ballad as the earliest form of popular literature, the ballad element was recognized in the Homeric poems, and there came attempts to reproduce them in ballad form. In every case the special characteristic of the poetry which commends it to the age for which it is written, that element without which it would hardly seem then to be poetry, is either a distinct addition to Homer or else the exaggeration of what in him is subordinated to other things. For these reasons the present translators have undertaken to give in prose that simple truth about Homer which cannot be given in verse. The theory seems to be correct, for there can be little doubt that the demand for knowledge of the contents of the poems is stronger now, under the influence of modern historical methods, than it has ever been before. And the success of their attempt, when compared with any verse-translation, further justifies the theory. Indeed, we are not sure that the use of prose for the translation of Homer may not be defended on other ground than that taken in this preface. It may be merely a testimony to the skill with which the work is done, but while we were reading it the question arose whether this is not after all the true corresponding medium in English to the Greek hexameter of the heroic age, at least for the 'Odyssey.' This smooth, melodious, slightly antiquated, but strong and noble prose goes on serenely through sorrow, disaster, death, adventure, feasting, jesting, peril, and triumph in the wonderful story with very much such an effect upon an English ear as the hexameter may have had on the more rhythmical Greek ear. Certainly no verse-translation that we have yet had can carry one through the poem with so much interest and so little sense of monotony. The medium interposes no bar between the reader's mind and the poet's thought, and that can never be the case with a verse-translation. To a scholar who reads it with the text in hand it may often happen that this translation will not seem altogether right; thus, in the very first sentence the change of subject in "many were the men" disturbs the relation of thought in the original, although it preserves the emphasis of order. But even he will feel anew the charm of the *story*, though not that of the poem, and will find many a valuable hint as to the sense, while the general reader who takes up this book to get his first real knowledge of the 'Odyssey' will find nothing to embarrass or mislead and much to delight him. One such, we happen to know, has read the whole book with keen interest in two short evenings.

*Army Sacrifices; or, Briefs from Official Pigeon-Holes.* By James B. Fry, Colonel, Adjutant-General's Department, and Brevet Major-General United States Army. (New York: D. Van Nostrand. 1879.)—The author describes his work as consisting of brief sketches of actual occurrences, scattered over a period of nearly thirty years, presented as examples of the dangers and privations to which our soldiers in active service in the Indian country are continually exposed, and the gallantry and fortitude they display. In this respect the sketches enforce the practical estimate announced by life-insurance companies, that the so-called peace periods of our national history are fraught with risks demanding premiums not charged to the officers and soldiers in other services, and they are of interest as giving to the public some narratives not accessible except to heads of bureaux in charge of official documents. No great praise can be bestowed upon their style of composition. The author saves his own literary reputation by declaring that there is, in some instances, no change in the terms of the recitals as originally reported, but the faults of sometimes affected and often slipshod writing are only thus shifted upon the other officers of the Army who actually made the reports.

Carelessness or ignorance is shown in matters of more importance than mere style. On page 49 "a band of Pah Vaut Indians (Eutaws)" is mentioned. Pah Vaut may be a typographical error for Pah Vant, but Eutaw recalls more readily a hotel at Baltimore than the Ute division of the Numa family, in which division the Pah Vants are a political subdivision of the body recognized as the "Utes proper." On page 149 it is broadly stated that Indians have not the least aptitude in constructing artificial defences; whereas elaborate and efficient defensive works of stockades, palisades strengthened with earth, sometimes with parapets and loopholes, were found when the Iroquois and Muskoki in the east, the Chinooks on the Columbia, and the Arikaras on the Missouri were first met; and such examples can be multiplied wholly apart from the relics of the mound-builders and cliff-dwellers. It is too much the habit of

army officers to generalize from the present condition of the one or two tribes with which they may have been engaged. The author displays the same want of comprehensive and historic knowledge in his preface, which is obviously designed to favor the transfer of the Indian Bureau to the War Department. He doubts whether, after "so many years of trial," the Indian race has given any assurance of receiving our civilization. If it were not proved that great and permanent advances have been actually made by the American aborigines, under highly adverse circumstances, it would still show ignorance of modern science to harp upon the racial theories given in a past generation of school-books. It is now generally agreed that conclusions once founded on assumed hereditary varieties or races must be greatly modified, and that mankind should be treated as of homogeneous nature though found in different degrees of civilization, the progress toward which is still everywhere in regular operation. The several distinctive and conflicting classifications invented from bodily configuration, hair, color of skin, etc., are now little regarded. We must look upon the North American Indians as representing our own ancestors of the Stone Age, and as well able to emerge in time from savagery and barbarism as were the pristine men of Asia and Europe, whom they strongly resemble in their customs and mythology. The author unconsciously presents a good argument against the transfer of the Indians to the Army, as true statesmanship would entrust them to the care of agents who believe in and hope for, not to those who deny the possibility of their civilization.

*Artists of the Nineteenth Century and their Works: A Hand-book containing two thousand and fifty Biographical Sketches.* By Clara Erskine Clement and Lawrence Hutton. (Boston: Houghton, Osgood & Co. 1879. 2 vols., pp. lxxxvii. 386, 43, and lviii. 373, 43.)—In these convenient volumes of ready reference the whole array of indices is twice repeated. Each volume contains an alphabetical list of artists' names, an index to the authorities quoted, an index of places, and a general index—each and all of these tables of reference being for the whole work, so that the tables in one volume are exactly the same as those in the other. This swells the size of each volume by twenty-five leaves or so, but adds to the facility with which the book can be consulted. The authors have rightly felt that this matter of handiness was the most important consideration in such a work after accuracy. As for accuracy, the avowed plan has been to send circulars to the artists who were to be noticed, and, where no answer was received, to print a statement to that effect. It would have been a good plan to have limited the notices to such dry facts as one would naturally furnish in answer to an enquiry about his own career; or to these with the addition of citations of important works. In this way would have been spared the feeble repetition of such phrases as "displayed a taste for art at an early age," and the like. As to mere errors of statement, it is impossible to avoid them wholly in such a book, and difficult to detect them. Mr. C. C. Coleman's most important contribution to the Paris Exhibition of last year is not named, while his "decorative panel" is mentioned; Mr. La Farge's "New England Pasture-Land," rightly spoken of as the property of Miss Hooper, is the same picture that went to Paris in 1878, and made a sensation there; Millais's well-known picture is called by the common and erroneous name, "The Huguenot Lovers." Slight errors all, but of this nature are all the faults of statement that we have marked. Clumsy translations are not uncommon, and reach the dignity of downright errors in some cases, as when Méryon is called a "marine," in obvious misunderstanding of the significance of the word *marin*, and the world-renowned Pont-Neuf, new in Henry IV.'s time, indeed, is called "The New Bridge." The list of names is very full; the only omissions we have wondered at are the names of some artists best known as illustrators of books, such as Charles Keene, and the architect, Viollet-le-Duc, who, if better known as a writer than as an "artist," at least has the same claim as Mr. Ruskin to be included in the book. It is to be mentioned as creditable to all concerned that the double surnames so common in modern French society are correctly given: Viollet-le-Duc (the painter), Bastien-Lepage, Albert-Lefeuve, Feytaud-Perrin, Alma-Tadema, and a number more.

So far all goes well; nobody need avoid trusting the book on account of such faults as have been cited. But we have to warn the public most earnestly against reading the critical remarks which, taken at haphazard out of the books nearest at hand, are added in smaller type to the notices. Some good authorities are quoted indeed, but the worst possible are quoted just as freely. It should be observed that there is no way of indicating a preference, or of letting it be known that the compilers give more authority to one than to another; the only

plan is to exclude the trifling ones, and to cite only those writers who carry some weight. Who is a suggestive and thoughtful writer on modern art? Mr. Hamerton is, and he, indeed, is quoted forty-six times (as the index states). But so is Mr. Comyns Carr, who is quoted three times, Professor Colvin seven times, Mr. Wedmore not once! Who has influenced the largest number of persons? Mr. Ruskin, and he is quoted forty-five times in all; to be sure, a small allowance in view of the fact that most readers want to know what that author thinks about an artist, whether they follow him or not. But Mr. Jarves, whose vague remarks upon American artists printed many years ago might as well be forgotten now, is quoted fifty-seven times. It is the same thing among the French writers. Mr. Charles Blanc is quoted five times; Mr. Burty twice; Mr. Chesneau, Mr. Yriarte, Mr. Gustave Planche, Mr. Paul de St. Victor not once. And it is so with the periodicals: the least critical of all journals concerned with art, the *London Art Journal*, is cited more than two hundred times, or about four times as often as the *Gazette des Beaux-Arts* itself and ten times as often as the *Portfolio*. As to the American dailies, there seems to be no attempt to choose between them, and the few which give especial attention to the subject and employ competent observers and careful writers are not quoted so often as newspapers in country towns whose New York or Boston correspondence has a smart twang to it. We have not space to do justice to this part of our subject, and can only repeat the expression of our disappointment that this obvious and tolerably easy way of giving to this book a peculiar value should have been partly neglected and partly abused in this fashion.

*Histoire de la Russie, depuis les origines jusqu'à l'année 1877.* Par Alfred Rambaud. (Paris: Hachette; New York: F. W. Christern. 1878.)—This work, the latest of the well-known series published by Hachette under the superintendence of M. Duruy, comes to us crowned by the French Academy. In plan it holds the middle rank between the mere compendium and the exhaustive work of many volumes. It is easy to see that it owes the approval of the Academy not so much to its absolute merit as to its relative superiority. Books about Russia which are neither party pamphlets nor *chroniques scandaleuses* are rare enough to make M. Rambaud's fairness of statement and, so to speak, generosity of view remarkable. Great skill is shown in tracing the development of the scattered communities which were finally united under the grand princes of Moscow, and in defining and making prominent the main current of events throughout the history. The Polish question is treated as one of the secular conflicts of history—as Pushkin called it,

"An ancient household strife, oft judged but still unending."

To this view, unusual enough for a Frenchman, is due much of the commendation which the book has received from the Russians themselves. Equally gratifying to them must be M. Rambaud's account of the events of a later time. It must surprise English readers, who inherit with implicit faith the popular traditions of Wellington, to find how large a share in the overthrow of Napoleon can be attributed to Alexander I. Nor will they easily recognize the "Eastern Question" in M. Rambaud's presentation of it.

It is a pity to have to say of a book of such evident merits that it is withal not interesting. It is a mass of material arranged in good chronological order, but the narrative lacks proportion and relief. The revolt of the Ukraine is told with as much force, and no less, as the sorrows of "the time of troubles." One cannot distinguish between the fall of Kiev and the fall of Novgorod. The very attempt at fairness impairs the author's power. It is indifference, not justice. A certain amount of personal conviction is necessary even for a judicial opinion, but of M. Rambaud one can only make out his doubts about Poland and a somewhat colorless sympathy with Slavophil and Panslavist. So, we say, the book lacks interest. As a work of reference it will have its uses, but no one will be drawn by it to the study of Russian history. Throughout the narrative is too exclusively military. There is scarcely anything about the language. So rare an event as the creation of an alphabet and a written language out of hand is dismissed with a scant allusion of half a line. One could not have believed that a book about orthodox Russia would be deemed complete which contained no mention of the rites or tenets of the Greek Church.

It is not only upon these points of the national speech and the national church that the baffled student will find himself compelled to seek information elsewhere. M. Rambaud's habits, as a writer, are evidently those of the reviewer, who writes with the expectation that his readers will appeal to the book he criticises. In this way he permits himself a



host of allusions which at the worst mislead and at the best exasperate. Of the brief phrase about the alphabet we have already spoken. So the burning of the Golden Book has not a word of explanation to account for the consent and co-operation of the nobles in so summary a proceeding, nor to explain its connection with Peter the Great's institution of the *tschin*, in the next generation. "Le jour funeste de Saint-George," "Sophie d'Anhalt," "le droit de Magdebourg," "l'ingratitude d'Autriche," are only stumbling-blocks in the text. Even "la Sainte Alliance" is not familiar enough to the reader of to-day for the bare words to suffice. Nothing about Russia so impressed itself upon the last generation as the revolt of the Guards and the fate of the "Dekabristen" at the accession of Nicholas. Was it a deep and wide-spread conspiracy in which some of the wisest and best of Russia had pledged themselves to wholesale massacre, and to which Nicholas was justified in showing no mercy; or was it the rash scheme of a few daring spirits who availed themselves of the confusion of the interregnum, and brought upon scores of the innocent the terrible vengeance of an outraged autocrat? From M. Rambaud's indistinct and incoherent statements one could never infer any theory about the catastrophe, and much less frame any judgment about it.

His comparisons with more familiar events and personages are often helpful, but the parallels in general terms might be misleading. To compare the wonderful popular uprising under Minin and Pozharski, which put an end to "the time of troubles," with the movement in France under Jeanne Darc is to do it no more than justice; but the use of the term States-General, in regard to Russia, can be only a figure of speech. The Renaissance in Russia, too, must be hard to find. Doubtless the foreigners who went there in the sixteenth century took with them the much or the little of its spirit they had themselves imbibed, but there could have been no such spontaneous intellectual and artistic awakening in Russia as in Western Europe. Indeed, M. Rambaud refutes himself. He says: "La Renaissance se manifeste surtout par le nombre et la magnificence des temples orthodoxes." Mark the *surtout*, and then note, a page beyond, the church of Vassili the Happy at Moscow, the *chef d'œuvre*, which cost the architect his eyes for fear he might repeat the marvel. M. Rambaud calls it "ce monstre polychrome" where "une fantaisie a bravé toute symétrie."

The few paragraphs about literature can certainly make no pretence to be a history of the subject. These names and dates only serve to confuse the little and the great. If as bare facts they are accurate, they are too often grossly wrong by suggestion. Bielinski is curtly described as "the prince of critics, who founded successively the *Observer*, the *Annals of the Fatherland*, and the *Contemporary*." The facts are just as true, and the estimate of the man's position and influence just as inadequate, as if one were to describe Carlyle (the great work of the two men—that of inspiring others—was contemporary) as "the prince of critics, who contributed successively to the *Edinburgh*, the *Westminster*, and the *Foreign Review*." It may be urged in reply to these criticisms that not even seven hundred pages will hold everything. But it is not more that is wanted. The details are too many already. Rather are needed the well-digested statements, the concise summing up of facts, such as M. Rambaud can well make, as any one knows who has read his "Russie épique," or the account of the emancipation of the serfs in this very volume. He would, doubtless, insist that he had not meant to write a history of parties, but since he has shown us Slavophil and Pan Slavist, he ought at least to have hinted that there is an opposing party, one of dignity and not without influence. It is of that party that Mr. Gladstone is thinking when he writes of the Russian *people* as distinguished from the official and military class.

*Deutsche Literaturgeschichte*. Von Robert Koenig. (Leipzig: Velhagen & Klasing; New York: L. W. Schmidt. 1878.)—At the present day, when histories of German literature are so numerous, one is naturally disposed to scrutinize sharply the credentials of each new-comer. Does it clear up for us any doubtful or complicated point, does it enable us to grasp more firmly the general movement of German thought, or to appreciate more fully the character of German thinkers? If not, why spoil good ink and paper in the printing of it? To apply such a test to the present work would be to condemn it at the outset. The author says nothing that has not been already said by his predecessors, and by many of them said more accurately or more forcibly. Nevertheless we take the liberty of commending his book most heartily. We even go so far as to say that no teacher of German literature should be without it, for it supplies a long-felt want.

Whoever is called upon to instruct a class in the history of the litera-

ture of a language knows that the task is anything but easy. Whether the instruction be in the shape of lectures or consist in reading a manual, the chief difficulty is to impress upon the pupil's mind a sense of the *actuality* of the persons and events discussed. They are to him little more than names or dates. Hence everything must be of service that will make the persons concrete, and give to the events a "local habitation"—everything, in short, that appeals to the *eye*.

What Kurz undertook, years ago, in his cumbersome four-volume *Geschichte*, Koenig has carried out in one volume of moderate size. We speak within bounds when we say that the profuseness of his illustrations is astonishing. We cannot make even the attempt to classify them. In part first, for instance, there are full-page facsimiles of Vulfila's Gothic Bible, the *Leben der Jungfrau* by Wernher v. Tegernsee, the *Wessobrunner Gebet*, Otfried's *Evangelienharmonie*, Heinrich von Veldeke's portrait (Manesse MS.), Frauenlob's (same MS.), and numerous vignettes, initials, and other minor pieces. In part second we find—almost everything; full-page portraits of all the great authors, from Luther down to Herder, facsimiles of Luther's New Testament of 1523, of Luther's *Ein feste Burg* in the original manuscript with the music, the title-page of Fischart's *Bienenkorb*, 1581, of Fust and Schoffer's Psalter of 1457 (from the copy in Vienna), Albrecht Dürer's title-page to Willibald Pirckheimer's Plutarch, and so on, down to the manuscript of Lessing's *Minna von Barnhelm*. In part first there are some quotations from the Old and Middle High-German originals, and numerous metrical renderings in modern German. Part third, which completes the work (including the present generation of authors) contains, e.g., a facsimile of the title-page of Goethe's first literary venture with some of the notation to "Einst ging ich meinem Mädchen nach" (Leipzig: Breitkopf, 1770); also various likenesses of Goethe and Schiller (see especially the one by Reinhart, depicting the poet on the back of a Karlsbad donkey), and facsimiles of Goethe and Schiller MSS. The portrait of Chamisso (p. 541), and Kerner's ink-blot "developed" into a butterfly, with the accompanying verses, will be found supereminently characteristic.

More surprising even than the profuseness and excellence of the illustrations is the cheapness of the book; the price is only four thalers. One wonders how the publishers can afford to give so much for so little. Doubtless they count upon a large demand, in which we hope they will not be disappointed. Paper and press-work are excellent. As concerns the text itself, we must speak less confidently. It is evident at a glance that the author is no philologist. Thus we read, p. 9, that "Gothic is the mother of our modern High-German speech," a misstatement flagrant enough to arouse Jacob Grimm from his last resting-place. And all through part first, which treats of Old and Middle High-German, are indications that the author has derived his knowledge at second-hand. Yet his views are in the main correct enough, and the mistakes can be easily rectified by the teacher. We shall be glad to see the book introduced in our higher German classes. It will serve at least to teach the pupil something about mediæval diplomacies, and illumination, and the growth of the art of printing. The numerous portraits and vignettes make one feel almost at home with the authors of the seventeenth, eighteenth, and nineteenth centuries.

\* Publishers will confer a favor by always marking the price of their books on the wrapper.

#### BOOKS OF THE WEEK.

Authors.—Titles.	Publishers.—Prices.
Adams (W. H. O.), The Secret of Success.....	(G. P. Putnam's Sons) \$1 50
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